

**Buckland Select Board
Meeting Minutes
February 14, 2023 5:00 p.m.
Buckland Town Hall**

Listing of Topics

Anticipated Executive Session in accordance with G.L. c.30A, Sec. 21(a)(3) to discuss strategy with respect to threatened litigation if an open meeting may have a detrimental effect on the Board's litigation position.

Appointments

6:00 p.m. - Clesson Brook Watershed Assessment presentation

Agenda Items

- > Historic Commission Appointments: Mary Dearborn and Patricia Schmidt
- > West County Senior Services Board of Managers
- > Shared Police Services
- > Sears Street property proposal

Documents to Sign

Contract & Grant Documents

Permits & Licenses

Minutes

Items Not Reasonably Anticipated by Chair 48 Hours in Advance of Meeting

Select Board Member Concerns

Town Administrator's Report

Public Comment

Announcements & Upcoming Meetings

Attendees

Barry Del Castilho - Select Board Chair
Clinton Phillips - Select Board Vice-chair
Lawrence Wells - Select Board Member
Heather Butler - Town Administrator
Otis Wheeler - Falls Cable
Mary Bolduc - Boards' Clerk
Pamela Guyette - Director of Assessing
Phoebe Walker
Andrea Donlon
Alison Gage

Rosalie Starvis
 Nick Miller
 Frank LaBelle
 JoAnne Ostrowski
 Mary Dearborn
 Patricia Schmidt

Meeting

Mr. Del Castilho opened the meeting at 5:00 p.m. and moved to go into executive session in accordance with G.L. c.30A, Sec. 21(a)(3) to discuss strategy with respect to anticipated litigation if an open meeting may have a detrimental effect on the Board's litigation position. Mr. Phillips seconded the motion and a roll call vote was taken. Vote: Phillips, yes; Wells, yes; Del Castilho, yes. The Board then went into executive session, and returned to open session at 5:48 p.m.

Appointments

6:00 p.m. - Clesson Brook Watershed Assessment presentation - Alison Gage from FRCOG, and Rosalie Starvis and Nick Miller of GZA were on hand to give a presentation based on a one year study of the Clesson Brook watershed including Ashfield and Hawley. The assessment has been funded through a Municipal Vulnerability Preparedness (MVP) FY22-23 Action Grant; their presentation identified properties of specific concern and discussed possible next steps for the Town as well as private property owners.

Ms. Starvis gave opening remarks with an overview of the project and explained data that will be available at project's completion. She displayed personal photos shared by residents along Clesson Brook showing Hurricane Irene's damage. She then turned the program over to Nicolas Miller for the Fluvial Geomorphic Assessment.

Mr. Miller introduced his presentation as an interim report describing a fluvial geomorphology assessment of Clesson Brook and its tributaries. His presentation was comprehensive and informative accompanied by maps, both current and historic, tables of relevant data, and photos which clearly spoke to the geographic variations along the length of Clesson Brook, its vegetation, natural habitats, and other points of interest as a result of mapping the brook.

Mr. Miller gave a historic perspective on Clesson Brook, citing a passage from Kendrick's *History of Buckland*, data on the changes and damage wrought by Hurricane Irene, and projections for what those changes mean for the future.

Most public input involved questions regarding beavers, if the project addressed them, who is the governing authority to contact if there are beavers on your property, and reference to property owners using trees and fill after Tropical Storm Irene as a method of creating a berm. Mr. Miller was also asked if the water in the brook was tested to which he replied it was not; his job is the physical process of the water, not the chemistry of it.

Mr. Del Castilho asked if recommendations would be forthcoming at another meeting. Mr. Miller responded that at the project's completion they would return with a final presentation including recommendations. Ms. Butler explained that the presentation would be on the website, but if anyone had questions concerning their own property they could speak with the presenters after the meeting or contact Ms. Butler at Town Hall.

Agenda Items

> Historic Commission Appointments: Mary Dearborn and Patricia Schmidt - Mr. Phillips moved to appoint Mary Dearborn and Patricia Schmidt to the Historic Commission, seconded by Mr. Wells. Vote in favor of the motion was unanimous.

> West County Senior Services Board of Managers - At a previous meeting the Board had voted to appoint Select Board Chair Mr. Del Castilho and Ellen Eller of the Council on Aging as Buckland's representatives on the Board of Managers for the West County Senior Services District. It has since come to light that there is a provision in the legislation signed by Governor Baker that the Select Board can approve that portion of the legislation which then creates a Board of Managers. The revised recommendation is to advertise for applicants for that Board. Mr. Phillips moved to accept Section 2A of the West County Senior Services Special District Act (enabling postings for Board of Managers openings). Mr. Wells seconded and vote in favor of the motion was unanimous. Note: It was later noted that it is in fact Section 3 of the Special Act, not Section 2A as verbalized in the motion.

> Shared Police Services - Mr. Del Castilho updated the Board stating that Chief Bardwell and the Collins Center have been working on a final draft of the IMA which is expected soon; the progress on the draft will be presented to the working group at their upcoming meeting. When the draft is finalized, a second public forum will be scheduled/advertised and is tentatively scheduled for March 1 a 6 p.m. in the Buckland Town Hall.

> Sears Street property proposal - Board members were given a copy of an offer submitted by Buckland resident and business owner Justin Bardwell to purchase property on Sears Street, across from the new Highway Facility. Because the site and construction of a new salt shed has not been finalized and is a pressing need for the Town, and because of the unknowns surrounding the 50 Conway Street property, Ms. Butler and the Board addressed all the "moving parts" which must be put into place before any determination on the property can be made. Also, if and when the time comes the Town is ready to sell, the recommendation would be to advertise the parcel. No action was taken on Mr. Bardwell's offer at this time.

Documents to Sign

Contract & Grant Documents -None to sign.

Permits & Licenses - None to sign.

Minutes -

Mr. Del Castilho moved to accept the Meeting Minutes of December 13, 2022 and January 24, 2023, seconded by Mr. Phillips. Vote in favor of the motion was unanimous. No action was taken on Executive Session Minutes for December 13, 2022 and January 24, 2023.

Items Not Reasonably Anticipated by Chair 48 Hours in Advance of Meeting -

Pamela Guyette addressed the Board requesting approval for a change order for the pool project. She first updated members with progress at the site reporting that rafters for the pool house had gone up with the roof to follow soon. It was initially planned that the pool would be drained every year, but recently was determined that due to the compactness of the soil beneath the pool structure, it may not allow for adequate drainage thus causing damage to the pool when the ground freezes. It is therefore recommended that the pool not be completely drained, thus requiring a cover during the offseason months. It was noted that time and expense will be saved by not completely emptying and refilling the pool each season. The cover recommended by Weston & Sampson is custom made and will be secured by anchors set in the concrete apron. The cost is \$19,484.05, to be taken from the \$175,000 contingency fund of which only \$6,000 has been spent to date. Following a brief discussion, Mr. Phillips moved to approve the purchase of the pool cover as recommended by Ms. Guyette, seconded by Mr. Wells. Vote in favor of the motion was unanimous.

Select Board Member Concerns - There were no Select Board Member Concerns expressed at this meeting.

Town Administrator's Report -

> 50 Conway Street - Ms. Butler asked the Board what would be the first domino in the chain of events that would unfold in the process of siting and building a new salt shed, the current one being located at 50 Conway Street. Jessica Atwood of FRCOG has found funding (not a grant and not a loan) for brown fields remediation at that site. With remediation done, what are the prospects for the property? Phoebe Walker, Director of Community Services at FRCOG and Andrea Donlon, Sr. Land Use and Natural Resources Planner, also of FRCOG spoke to the housing needs in Buckland. Ms. Walker stated that she repeatedly hears of people in Buckland who need and cannot find housing. She urged the Board to not act too quickly in disposing of the property, asking them to thoroughly review all housing needs and to ensure that any town land that could be used for housing be used for that purpose. Ms. Donlon referred to the recent lot size changes approved in Buckland, stating that 50 Conway Street now conforms to lot size standards it formerly did not. She also admonished the town to not dispose of town property too quickly citing that short term rentals have taken some of the housing stock.

Discussion continued with Mr. Phillips suggesting that he is inclined to solicit public input. Ms. Walker pointed out that Annual Town Meetings are not representative of the

population given the small percentage that attend. Further discussion covered various uses for the property.

> Conway TIP - Ms. Butler was informed on Friday that Conway Road would be opened which she confirmed so it could be posted online. The road was closed again on Monday morning due to water issues, and although was again open around 11:00 a.m. the temporary closure did cause problems for people commuting to work and school. Ms. Butler had not been advised of the closure and apologized for any inconvenience it caused; she said she returned all calls she received regarding the road closure. There are concerns with spring/mud season approaching. Landscaping, paving, and completing the walkways of the project will be scheduled during warm weather.

> FY24 - The FY24 budget process is continuing to move forward. The Finance Committee has met with most department heads, but still has to meet with the director of the Senior Center and with the Historic Commission regarding the museum. The Mohawk budget will not be ready until sometime early to mid-March.

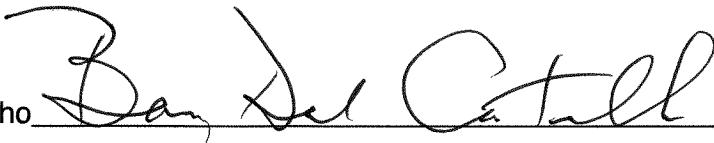
Public Comment - Public Comments were offered during the Clesson Brook presentation and were relevant to that topic.

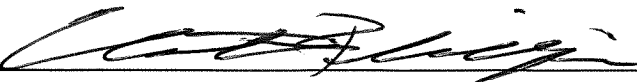
Announcements & Upcoming Meetings - The next Select Board meeting is Tuesday, February 28, 2023; a Police Services Public Forum is tentatively scheduled for March 1, 2023; and the date for Annual Town Meeting is May 6, 2023.


With no further business or announcements, Mr. Phillips moved to adjourn seconded by Mr. Wells. Vote in favor of the motion was unanimous and meeting adjourned at 7:34 p.m.

Respectfully Submitted by Mary Bolduc, Boards' Clerk, February 28, 2023

Signed:

Barry Del Castilho 

Clinton Phillips 

Lawrence Wells 

January 24, 2023

Dear Clesson Brook Watershed Resident:

On behalf of the Town of Buckland, a project team consisting of the Franklin Regional Council of Governments, GZA GeoEnvironmental, and Field Geology Services, has been gathering data and performing assessments in support of the Clesson Brook Watershed Based Assessment & Climate Resiliency Plan.

This project, which is being funded by a MVP Action Grant, aims to identify conservation and restoration efforts that will promote climate resiliency within the Clesson Brook watershed. The data and assessments so far include analyses of potential flood areas, identification of vulnerable road-stream crossings, and a visual inspection of Clesson Brook to locate areas of erosion, channel instability, habitat degradation, and downstream sediment loading. You are invited to learn more about this project and to contribute your thoughts and ideas at a public meeting at 6 p.m. on February 14th in the Buckland Town Hall.

The meeting will be held as part of a regular posted Buckland Select Board meeting and will be filmed by Falls Cable and could be viewed later at <https://fallscable.com/>



Confluence of Clesson Brook and Smith Brook (from left)

Fluvial Geomorphic Assessment of the Clesson Brook Watershed, MA - DRAFT

Prepared for
Town of Buckland, MA



Confluence of Clesson Brook and Smith Brook

Prepared by
Nicolas Miller
Field Geology Services
Charlemont, MA

December 2022

Table of Contents

1.0 INTRODUCTION	4
2.0 FLUVIAL GEOMORPHIC ASSESSMENT	4
2.1 Reach and segment delineation.....	5
2.2 Review of existing studies and available data	6
2.4 Watershed characterization.....	9
2.5 Mapping of channel features.....	10
2.6 Topographic survey.....	13
3.0 ONGOING WORK AND STREAM CORRIDOR DELINEATION.....	13
4.0 REFERENCES.....	13
FIGURES.....	15
TABLES	36

List of Figures

- Figure 1. Land use in Clesson Brook watershed.
- Figure 2. Protected Open Space in Clesson Brook watershed.
- Figure 3. Phase I reach breaks on Clesson Brook and its major tributaries.
- Figure 4. Surficial geologic map of a portion of the Clesson Brook watershed.
- Figure 5. LiDAR elevation data and shaded relief map of Clesson Brook watershed.
- Figure 6. Comparison of cross valley profiles from LiDAR.
- Figure 7. A portion of a 1794 map of Buckland, Ma.
- Figure 8. A portion of an 1858 map of “Buckland Centre”.
- Figure 9. Portions of an 1895 map of Buckland, Ma.
- Figure 10. Historic aerial photographs from 1940.
- Figure 11. Photos of the aftermath of Tropical Storm Irene.
- Figure 12. Photos of post-Irene emergency work.
- Figure 13. Channel bars were mapped during the assessment of Clesson Brook.
- Figure 14. Headcuts, or knickpoints, represent vertical instabilities in the streambed.

Figure 15. Bank armoring along Clesson Brook.

Figure 16. Upstream view of headcut undermining boulder armor.

Figure 17. Wood is introduced to the channel through mass failures of high banks.

Figure 18. Channel-spanning log on Smith Brook storing significant volume of sediment.

Figure 19. Log jams provide important geomorphic and habitat functions.

Figure 20. Wood is unevenly distributed along Clesson Brook.

List of Tables

Table 1. Phase I reach data.

Table 2. Stream bank stability data.

1.0 INTRODUCTION

This draft report is an interim report describing a fluvial geomorphology assessment performed by Field Geology Services, LLC of Clesson Brook and its major tributaries in Franklin County, Massachusetts (Figure 1). Flowing northeast through the towns of Buckland, Ashfield, and Hawley, Clesson Brook is a tributary to the Deerfield River. With a drainage area of 21.3 mi² (13,621 acres) the Clesson Brook watershed makes up the majority of the Town of Buckland (62 percent of Town lies within Clesson Brook watershed). The watershed is steep with a mean basin slope of 17 percent (USGS StreamStats, 2022). State Route 112 and several other main town roads are located along the stream corridors of Clesson Brook and its tributaries. The watershed is primarily forested (74 %), with a significant amount of agricultural land (12%), which is concentrated along the stream corridor and primarily in the lower half of the watershed (FRCOG, 2017) (Figure 1). Agricultural practices currently active in the watershed include dairy, cattle and livestock, corn, hay, vegetable row crops, nurseries, and many apple and fruit orchards. Agriculture is an important part of the economy and land use in the Clesson Brook watershed.

Developed land makes up 11 percent of the land use in the watershed, while there is little permanently protected land (FRCOG, 2017). Protected open space makes up 2,466 acres, or 18 percent of the total land area (Figure 2). This conserved land is located largely in the upper portions of the watershed, with a majority of the land in the town of Hawley. In fact, 46 percent of the Hawley portion of the watershed is conserved, while less than 7 percent of the Buckland portion of the watershed enjoys a protected status.

The Clesson Brook watershed includes a significant amount of BioMap2 Core Habitat and Critical Natural Landscape Block lands as defined by the Nature Conservancy (TNC) and the Massachusetts Natural Heritage and Endangered Species Program (NHESP). These lands include critical areas for preserving biodiversity, protecting water supply, providing flood and carbon storage, and maintaining healthy natural ecosystems (FRCOG, 2017).

2.0 FLUVIAL GEOMORPHIC ASSESSMENT

Fluvial geomorphic assessments are devoted to understanding how the natural setting and history of human land use in a watershed effect river channel processes and form (i.e., channel dimensions and shape). River channels are in constant adjustment as watershed conditions change, but eventually approach an equilibrium channel form where the channel's dimensions, although not necessarily its position, remain constant, absent a significant watershed perturbation. River channel adjustments may persist for thousands of years when responding to climatic influences (e.g., deglaciation in New England), so river channel changes may be ongoing throughout the design life of flood control, bank protection, and river restoration projects. Channels can also respond quickly to a single large flood or to direct human activities in the stream channel such as the construction of a dam across the river. Furthermore, rivers can experience rapid bank

erosion and changes in channel position even while maintaining an equilibrium condition by balancing erosion with an equivalent amount of sediment deposition. Consequently, geomorphology assessments are essential for identifying sustainable management solutions related to channel instability, habitat degradation, and downstream sediment loading. River restoration projects are more likely to succeed with a thorough understanding of how the channel is responding to natural conditions and human activities in the basin and how the channel may respond to future management efforts. Therefore, geomorphic assessments must focus on both the natural and human conditions in the watershed that engender channel adjustments and describe the current channel conditions that reflect the ongoing evolution of the channel.

Identifying how conditions in one part of the watershed are linked to channel adjustments elsewhere are essential for developing restoration options that not only reduce hazards and improve habitat conditions at the site of restoration but also promote equilibrium conditions throughout the watershed. Within this context, the specific objectives of the South River geomorphic assessment are to: 1) characterize past and current channel conditions; 2) determine past and current human land uses that have resulted in ongoing channel adjustments; and 3) identify natural watershed conditions that control the character and rates of channel adjustment. The draft geomorphic assessment presented below consists of five parts: 1) reach and segment delineation; 2) review of existing studies and available data; 3) review of archival and historic resources; 4) watershed characterization; and 5) mapping of channel features. Topographic survey, channel classification, stream corridor delineation, and restoration and conservation prioritization will be discussed in the final geomorphic assessment report to be submitted by April 1, 2023.

2.1 Reach and segment delineation

Since different portions of a river can respond differently to the same natural and human influences, the first assessment task is to subdivide the river into distinct reaches of varying length. Within a given reach, the river is likely to respond similarly to changing watershed conditions, while adjacent reaches may respond differently. Reaches that share similar traits are referred to as “like-reaches” and an understanding of channel response or effective restoration techniques gained in one reach may apply to other “like-reaches”.

Reaches downstream of valley constrictions occupy more confined valleys where the river channel has a greater likelihood of flowing against glacial sediments exposed along the high valley walls. The potential for high rates of sediment production in these locations can affect channel morphology differently than less confined reaches (i.e., in wider portions of the valley) where the channel will predominantly encounter low banks of floodplain sediments. Reaches downstream of tributary confluences will generally have morphologies different than reaches immediately upstream of the confluence because of the higher discharge and input of sediment. The morphological impacts of tributary confluences, as well as valley constrictions and expansions, are generally most

noticeable at or near the reach break itself. Consequently, the locations of the reach breaks are often points of the greatest channel instability where active bar formation, bank erosion, and channel migration are possible. For example, mid-channel bars typically form just downstream of valley expansions where the stream power to carry the sediment is lost with flow expansion. Bars are also commonly observed downstream from tributaries because of the excess sediment added at the confluence. Delineating the reach breaks and characterizing the morphological conditions present in each reach are critical for identifying the natural and human factors leading to channel instability and degraded aquatic habitat.

As part of the Phase I assessment, Clesson Brook and its major tributaries were divided into reaches based on remote sensing data (Figure 3 and Table 1). Reach breaks were delineated at significant tributary confluences, changes in valley confinement (constrictions and expansions), changes in valley slope, changes in channel planform (ie. straight to meandering), dams and other grade controls, and some stream crossings (bridges and culverts).

The identified reaches are further subdivided into shorter “segments” during Phase II field mapping, reflecting the location and occurrence of various human impacts (e.g., channel straightening, dams) and channel responses to those impacts (e.g., braided channel, bar deposition, redeveloping meanders). Segmenting the stream into smaller sections based on human impacts and channel response serves as the basis for identifying and prioritizing restoration options at various points along the stream. The reaches and segments are of uneven length and the breaks between each occur where there are observable changes resulting from various natural and human conditions, respectively.

Phase II field mapping was conducted along the entire length of Clesson Brook from Pond Road down to the confluence with the Deerfield River and along the lower three reaches of Smith Brook, as was specified in Task 1 in the Scope of Work. During Phase II field mapping reaches were further subdivided into segments based on observed features such as changes in sinuosity, bedform, sediment character and transport, channel manipulation, presence of grade controls, constrictions, and other changes in stream morphology. Based on both remote sensing and field mapping data, Clesson Brook was divided into 23 reaches and 66 segments, while Smith Brook was divided into 8 reaches, with the lower three reaches further divided into 12 segments.

2.2 Review of existing studies and available data

2.2a Soils and Surficial Geology

Surficial geologic maps are available from MassGIS at the 1:24,000 scale. The maps show a prevalence of abundant outcrops, shallow bedrock, coarse glacial stratified deposits and thin till along large portions of the watershed (Figure 4). Windshield surveys and channel mapping confirm the abundance of bedrock, outcropping as grade controls across the stream channels and along banks and valley walls. Coarse glacial

deposits and till are visible in mass failures that were re-activated along the stream corridors following Tropical Storm Irene. These mass failures represent significant sources of coarse sediment adding to enlarged channel bars, and fine sediments contributing to suspended sediment loads and water quality impacts. These sediment sources and their impacts are discussed further in Section 2.5.

2.2b Climate, Stream Flow and Precipitation

The USGS maintains a system of stream gages throughout the United States measuring stream stage and discharge. Unfortunately, there is not a gage on Clesson Brook, so for the purposes of this study, the gage on the South River in Conway, MA (with data back to 1966) will be used as a surrogate (USGS Water Resources, 2022). By using a gage transfer equation based on watershed drainage area GZA GeoEnvironmental was able to calculate discharge for specified return interval flows (ie. 100-year flood). These data will be used in hydraulic modeling of Clesson Brook as part of this study. Mean annual precipitation from 1971 to 2000 was 50.8 inches for the Clesson Brook watershed (USGS StreamStats, 2022). Climate studies predict increased frequency and intensity of precipitation events for the region, including the Clesson Brook watershed. A discussion of expected impacts of climate change including projections of increased stream flows can be found in the hydraulic modeling memorandum which was prepared as part of this study (GZA, 2022). Online resources, such as the NOAA Atlas 14 Precipitation data were also consulted as part of the Phase I data collection (NOAA, 2022).

2.2 c LiDAR and Elevation Data

LiDAR (Light Detection and Ranging) data was gathered for the Deerfield River watershed in 2015 following Tropical Storm Irene (Figure 5). This digital elevation data can be used to measure and display topographic profiles such as the cross-valley profiles presented in Figure 6, or to calculate slope, create contour lines, display relief, and interpolate steepest paths or streamlines. LiDAR data was used to delineate reach breaks, identify confining surfaces and extant and historic flow paths, and will be further utilized as a primary data source in the delineation of the stream corridor, as work continues on the Clesson Brook Watershed Assessment.

2.3 Review of historic and archival resources

Historic maps, atlases, and other archival information provide context to a watershed assessment study and can be an important tool for analysis; understanding past changes can help to predict future conditions.

2.3a Historic maps and town history

Historic maps dating back to 1780 have been acquired by the Buckland Historical Society and were accessed at the Buckland Public Library. The collection includes a 1780

original land grant map for the town, a more detailed 1794 map, as well as maps from 1830, 1858, Beers Atlas from 1871, 1895, 1909, 1937, and topographic maps from 1894, 1945, 1961, and 1990. Historic maps display former locations of roads, bridges, schools, mills, and mill races. A hand-drawn map from 1794 gives the location of several mills, including a saw and grist mill in the lower watershed just upstream of the current Rt. 112 bridge (Figure 7). This map also identifies several historic bridges crossing Clesson Brook which are no longer extant. The map pre-dates the railroad constructed along the Deerfield River valley, and another point of interest: this map labels “Clesson’s River” as measuring 4 rods in width, or 66 feet wide. An 1858 town map includes “Buckland Centre” showing two saw mills and two impoundments, one on either side of Hog Hollow Road (Figure 8). Note that the stream channels are drawn as low amplitude meanders along generally straight channel reaches, a clue that artificial channel straightening had previously been conducted. A town map by D.L. Miller from 1895 shows the channel and road configuration in “Upper City” and “Buckland Four Corners” (Figure 9). This map clearly illustrates various mills and mill races, or canals feeding them. Mill infrastructure was densely clustered along the river in several locations where the stream gradient allowed for the hydraulic head necessary to drive production. From the *History of Buckland, 1779-1935* by Fannie Shaw Kendrick, 1937:

“It must be remembered that, when the hills were covered with virgin timber, the brooks and rivers were much larger than at the present time. This was especially true of Clesson’s River which runs through the center of the town. Almost its entire length small turning, sawing and grinding mills dotted the banks at short intervals. Through the west part of the town, near the Hawley boundary, business was so flourishing that the section was known as the Upper City.”

In Upper City fine wagons were made by Deacon Harris Wight, Elijah Phillips ran a blacksmith shop, built around 1818, Abel Parker owned and operated a fulling and grist mill (opposite house owned by Halbert Dodge), just downstream Asa Davis ran both a saw and turning mill (Kendrick, 1937).

“All these mills stood within a few rods of each other.” (Kendrick, 1937)

A fuller accounting of the mills along Clesson Brook is provided in the *The History of Buckland, Volume II, 1935-1979 Bicentennial Edition* (Cross, 1979):

“The first sawmill and gristmill were at the Millyard, near Frederic Bohmer’s residence.”

These mills are identified on the 1794 map in Figure 7, near the confluence of Clesson Brook and Clark Brook.

“In 1879 it was noted that there had been five other gristmills, eight other sawmills, seven turning shops for wooden ware and two for iron, two carding machines, two sash and blind factories, two woodenware shops,

two shops for grinding and polishing cutlery, three cider mills, four distilleries, two cloth-dressing and fulling works, two handle factories, a trip-hammer and forge, flax-dressing machinery, a bit-brace factory, a file shop, a factory for surgical instruments, a shingle mill and a tannery.”
(Cross, 1979)

Waterpower, and the mills that harnessed it clearly played an important role in the history of the watershed, one whose legacy continues to influence stream morphology today.

2.3b Historic aerial photographs

Historic aerial photographs dating back to 1940 were downloaded from USGS and examined for changes in land use / land cover, channel location and planform, development and encroachments such as roads and other infrastructure (Figure 10). The 1940 aerial photographs show anastomosing (multi-threaded) stream channel segments with large exposed channel bars. It is hypothesized that sediment transport and channel morphology were significantly impacted by large flood events in 1936 and 1938 resulting in excess sediment along Clesson Brook and its tributaries, such as the Upper Branch shown in Figure 10. The Clesson Brook watershed likely took decades to adjust to the impacts of these two large floods, and the 1940 aerial photographs capture some of those adjustments in progress.

2.3c Ground photographs of flooding and emergency work

Landowner outreach resulted in several meetings with residents of Buckland and Hawley, many of whom shared photographs taken during and after flood events along Clesson Brook. Many of these photographs captured the aftermath of Tropical Storm Irene (August 28, 2011). Figure 11 shows some of the extensive damages to Clesson Brook Road, which included the failure of bridges and culverts, undermining and erosion of the road bed, significant damage to the paved road surface, damage to power lines, and many damages to residences and private property. Rebuilding efforts following the flood included extensive windrowing, as gravel and cobbles were excavated from the channel and piled as berms along Clesson Brook and its tributaries (Figure 12). Much of this emergency work was carried out by the Army Corps of Engineers and contractors attempting to put the river back in its channel and protect roadways and infrastructure.

2.4 Watershed characterization

River channels adjust to changes in water discharge, sediment loading, and wood inputs brought about by natural conditions (e.g. floods, landslides) and human activities (desnagging of wood, dams) in the watershed. Basic morphometric measurements such as channel gradient, valley confinement, and watershed size provide a framework for interpreting the assessment information and determining whether the existing channel morphology is consistent with natural conditions or reflects adjustments that have resulted from human impacts. Ascertaining the difference between the existing channel

conditions and what might be expected under natural conditions with minimal human influence is important for implementing sustainable restoration projects that reduce flood hazards, effectively manage downstream sediment loading, and improve aquatic habitat.

The mainstem of Clesson Brook is 10.4 miles long with an overall channel slope of 2.4 percent. However, for discussion it is useful to divide Clesson Brook in two, into upper and lower reaches, with the division being made at the Smith Brook confluence (downstream end of Reach 12), where Clesson Brook begins following Rt. 112 to the north. Upstream of this point, the channel flows through a steeper, more confined valley, and downstream Clesson Brook flows through a wider low gradient valley until it reaches the Deerfield River. There is a marked change in channel slope (from 3.4% to 0.9%) that is accompanied by a change in planform and sediment transport. The upper reaches tend to be steeper and more confined while the lower reaches flow through a wider valley, with sediment deposition contributing to bank erosion and channel change (Figure 6). The major tributaries are generally steep and confined and are generally sediment sources for downstream reaches.

2.5 Mapping of channel features

2.5a Headcuts (knickpoints) and sediment deposition

On August 28, 2011, 3 to 10 inches of rain fell on already saturated ground following several significant rain events in the preceding week (Bent et al., 2016). Rivers throughout New England overtopped their banks causing inundation of low-lying areas and significant fluvial erosion. Locally, Tropical Storm Irene was approximately a 200-year recurrence interval flood. The impact of this flood event can still be seen along Clesson Brook and its tributaries. Significant quantities of sediment were mobilized from the hillsides and valley side slopes. This sediment was transported down the steeper headwater streams and tributaries and deposited in reaches of Clesson Brook and its larger tributaries. This sediment deposition was mapped as channel bars along the length of the assessed stream channel (Figure 13), and as changes in channel substrate (ie. sand and gravel aggrading and filling pools). Sediment tends to be deposited where sediment-carrying capacity decreases, such as upstream of channel and valley constrictions (ie. undersized bridges and culverts). Any areas where backwatering may occur at high flows, such as upstream of tributary confluences or sharp meander bends are also locations where sediment is deposited. Because of the significant discharge during Tropical Storm Irene and the quantity of sediment that was mobilized and transported the volume of sediment deposited in these areas was excessive.

In the eleven years since the flood Clesson Brook and its tributaries have been adjusting to lower discharges (relative to TS Irene) and a higher sediment load, one that includes a significant suspended load of clay and silt as well as bedload gravel, cobbles and boulders. One of the responses to these changes has been the initiation of headcuts, or knickpoints, in the stream channel. Headcuts represent a vertical instability in the stream bed, in this case one that was initiated in the aftermath of Tropical Storm Irene

(Figure 14). At a waterfall such as Niagara Falls, hydraulic forces are concentrated at the point where water flows over a steep step in the bedrock, and because of the force of this flowing water the rock erodes and the falls to slowly migrate upstream over the centuries. The concentration of hydraulic forces in a headcut is similar (although on a much different scale than Niagara Falls), however the headcut is formed in the boulder/cobble/gravel substrate of the stream bed. Eighty-seven headcuts were mapped along the length of Clesson Brook. In reaches with coarser substrates composed of larger boulders these headcuts still appear steep and hydraulically rough after eleven years whereas in reaches with coarse gravel and cobble beds it is often difficult to identify these features as the bed morphology transitions back to one more in equilibrium with the current flow conditions.

2.5b Bank erosion, mass wasting, and bank armoring

Twenty percent of the banks along the assessed reaches of Clesson Brook and lower Smith Brook were mapped as eroding. In addition, fifteen percent of the banks were armored. Together, 35 percent of the total length of the stream banks were classified as unstable. Bank erosion however was not spread evenly throughout the mapped study area; there are many stream segments with little or no mapped bank erosion. Clesson Brook segments CLE10D, CLE17C, CLE17B, CLE03A, CLE07B all had eroding banks for more than 40 percent of their length, while CLE05C had no mapped erosion, but 62 percent of its banks were armored with boulder riprap (Table 2). Note that the right bank of CLE05C is composed of the armored road grade of Route 112 along its entire length.

The headcuts and vertical instabilities described in 2.5a above often correspond to lateral instabilities in the form of eroding banks (and formerly eroding armored banks). The vertical incision, or channel-downcutting, following upstream knickpoint migration leaves a deeper channel with higher stream banks. This is part of a well-documented channel evolution model where channel incision is followed by bank erosion and channel widening as more water is contained within the channel before spreading out onto the floodplain. There is a tendency for banks to become destabilized and erode following knickpoint migration, and this tendency was observed along the length of Clesson Brook.

Long sections of Clesson Brook Road were rebuilt after Tropical Storm Irene, as in some areas the entire road grade had been eroded. The sections of the road that were reconstructed are armored extensively with boulder riprap, gabion baskets, stacked boulder, and concrete retaining walls (Figure 15). In some areas this armor constricts the stream channel, potentially increasing the risk of future fluvial erosion. In other areas the riprap has started to be undermined by migrating headcuts (Figure 16).

2.5c Wood and pools (aquatic habitat)

Large pieces of wood (greater than 0.5 ft diameter and 6.0 ft in length) (aka large woody debris or LWD) and deep pools were also mapped along the length of the assessed reaches of Clesson Brook and lower Smith Brook. In the northeast, approximately 175-

225 pieces per mile of large wood may be expected to have occurred naturally under forested conditions (McKinley et al., undated). Wood is introduced to the channel through mass failures of high banks (Figure 17), low bank erosion, and age and disease-related mortality.

Wood provides many geomorphic and habitat benefits for a New England stream. Wood in the channel is important for creating flow complexity, scouring pools, providing cover, and segregating particle sizes such that fines are removed from spawning gravels. Sediment is often stored adjacent to large wood, especially channel-spanning logs which can store significant volumes of sediment upstream (Figure 18). Wood that accumulates in log jams can have large impacts on the reach morphology, and on the instream and riparian habitat (Figure 19).

The wood in the channel of Clesson Brook is unevenly distributed. Wood entering the channel is not retained for long periods in the higher energy confined and straightened segments, so large accumulations of wood occur in relatively short segments of the channel (where flow energy rapidly declines) with long lengths of channel devoid of wood entirely (Figure 20). The uneven distribution of wood along South River implies such habitat elements are lacking for long lengths of river.

2.5d Migration features and stream corridor encroachments

Clesson Brook Road and Route 112 follow the stream for the majority of its length. In some places the road encroaches right up to the stream channel. This results in the high degree of bank armoring seen in the mapped channel segments (Table 2), but also results in impairments to the riparian buffer. No buffer was mapped both during Phase I desktop analysis and in the field and is defined as areas where the forested buffer is less than 25 feet wide. Long lengths along Clesson Brook Road and Route 112 fit this description. Healthy riparian buffers are essential for maintaining bank stability, channel shading and canopy, watershed connectivity for wildlife movement and migration, recruitment of wood and organic material, and limiting nutrient and sediment loading to the stream and its receiving waters.

Migration features such as channel avulsions, flood chutes, braiding and anastomosing (anabranching) planforms, oxbows, and historic channels were mapped as points in the field. Migration features are often the result natural geomorphic processes as the stream adjusts to changes in its controlling variables. Stream segments that have been artificially straightened, or have a high sediment load, often adjust in dynamic ways by migrating, shifting course, or cutting off meanders. This often leads to increased flow complexity and enhanced aquatic habitat. Other migration features such as historic channels or oxbows may be the result of historic channel management. When this manipulation leads to straightened channels, both the complexity and the quality of the aquatic habitat tends to be reduced.

2.6 Topographic survey

Topographic survey of four selected sites was completed. These sites include 1) Clessons River Farm (aka Willis Farm) – an agricultural reach with an eroding bank along a cornfield on one of the only operating dairy farms in the region; 2) Lower Clesson Brook at the downstream-most Route 112 Bridge – a series of active mass failures and an undersized crossing represent a significant fluvial erosion and flood hazard; 3) a straightened reach along the upper reaches of Clesson Brook – bank armoring constricts the steep gradient channel; and 4) a dynamic anastomosed reach along upper Clesson Brook – a recent avulsion likely driven by excess sediment and wood deposition during Tropical Storm Irene represents some of the more dynamic stream segments in the watershed. Results of the surveys and further discussion will be included in the final report.

3.0 ONGOING WORK AND STREAM CORRIDOR DELINEATION

Fieldwork has been completed for this project, but data processing and analysis continues. Channel classification, stream corridor delineation, and restoration and conservation prioritization will be discussed in the final geomorphic assessment report to be submitted by April 1, 2023.

4.0 REFERENCES

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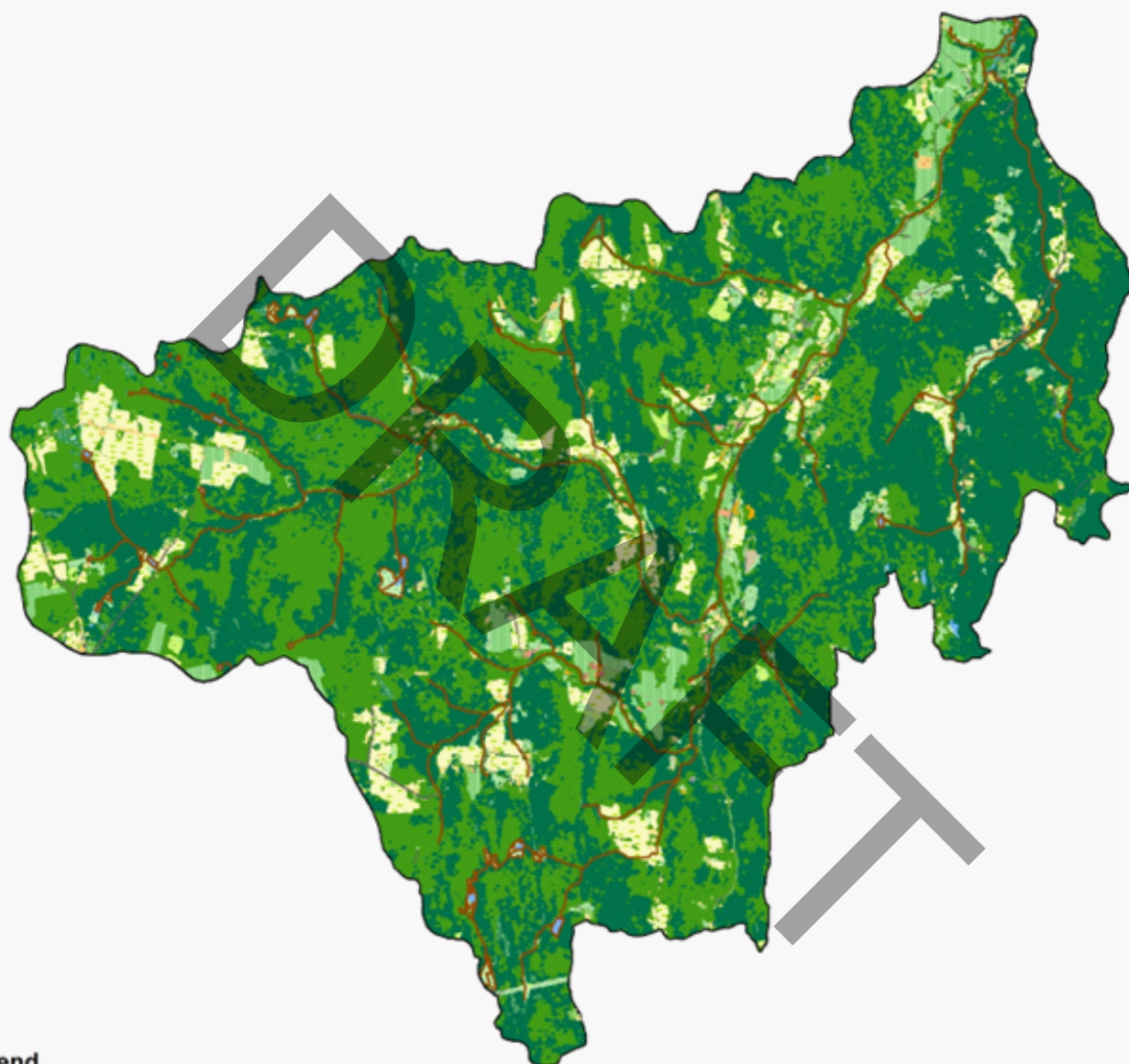
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FIGURES



Legend

	Residential - Single Family		Developed Open Space
	Residential - Multi-Family		Deciduous Forest
	Residential - Other		Evergreen Forest
	Commercial		Grassland
	Industrial		Scrub/Shrub
	Mixed Use - Primarily Residential		Bare Land
	Mixed Use - Primarily Commercial		Forested Wetland
	Mixed Use - Other		Non-forested Wetland
	Other Impervious		Saltwater Wetland
	Right-of-way		Water
	Cultivated		Unconsolidated Shore
	Pasture/Hay		Aquatic Bed

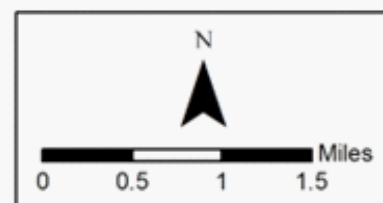


Figure 1. Land use in Clesson Brook watershed is primarily forested with agricultural land use concentrated along the stream corridors.

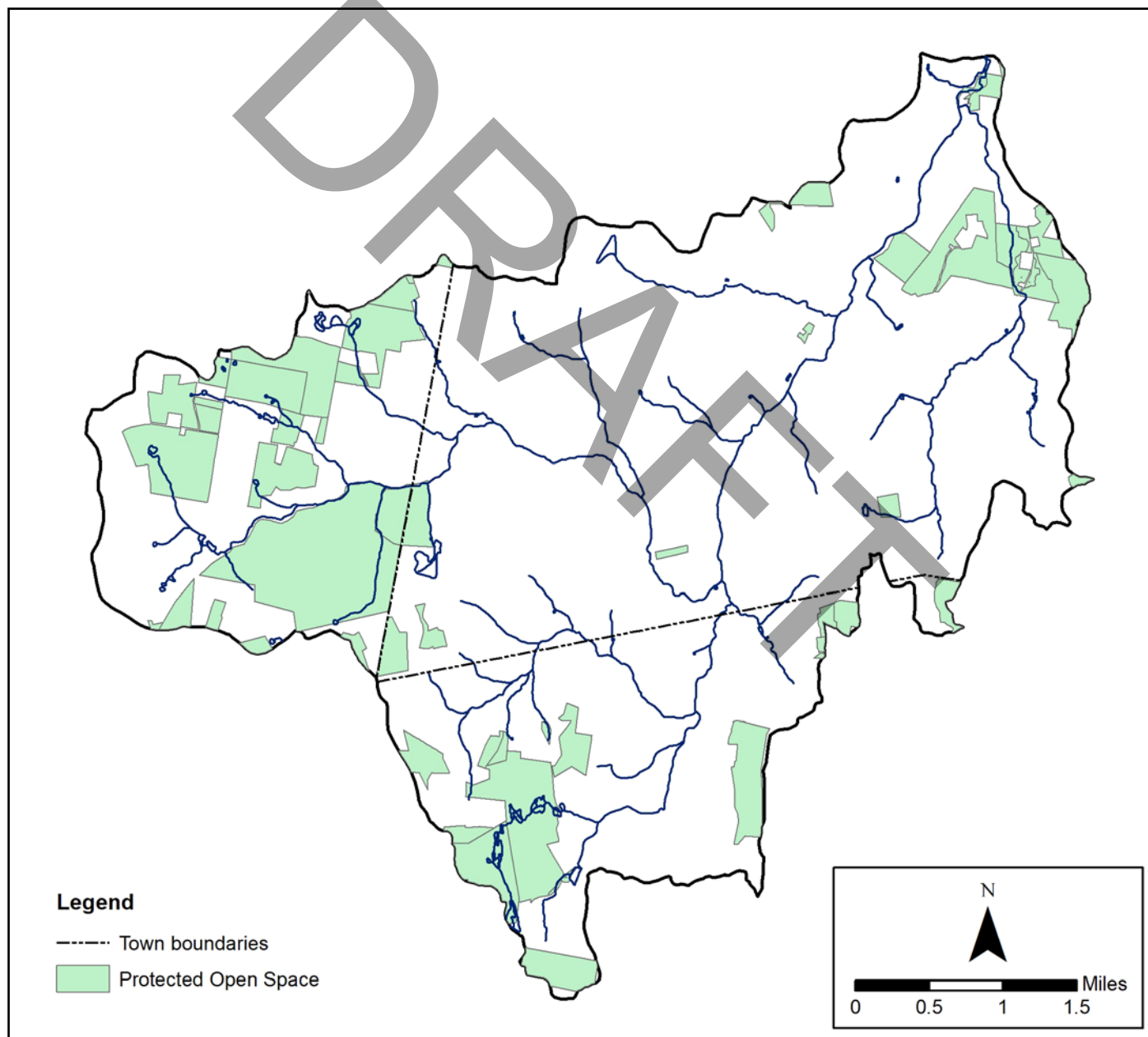


Figure 2. Protected Open Space in Clesson Brook watershed.

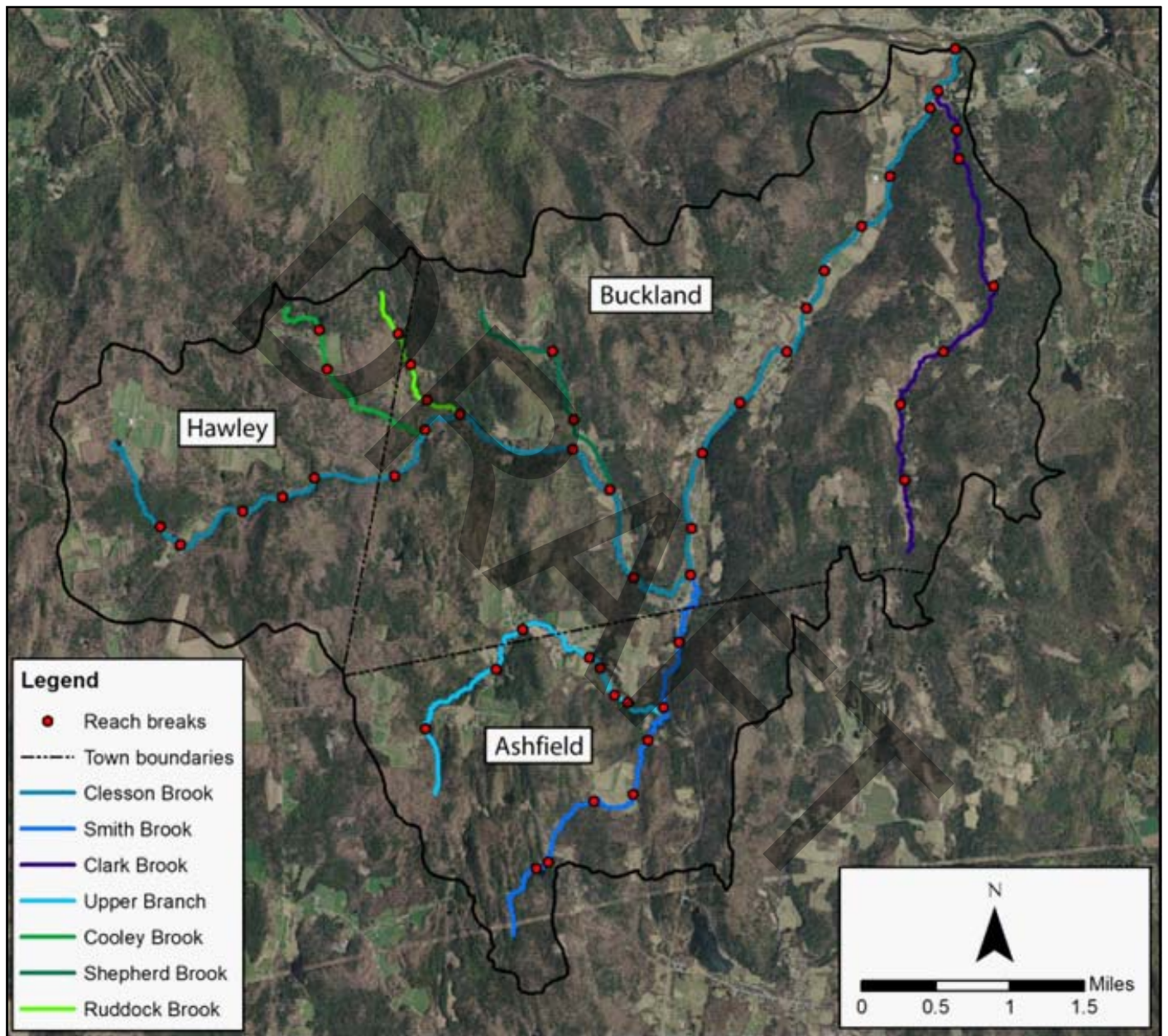


Figure 3. Phase I reach breaks on Clesson Brook and its major tributaries.

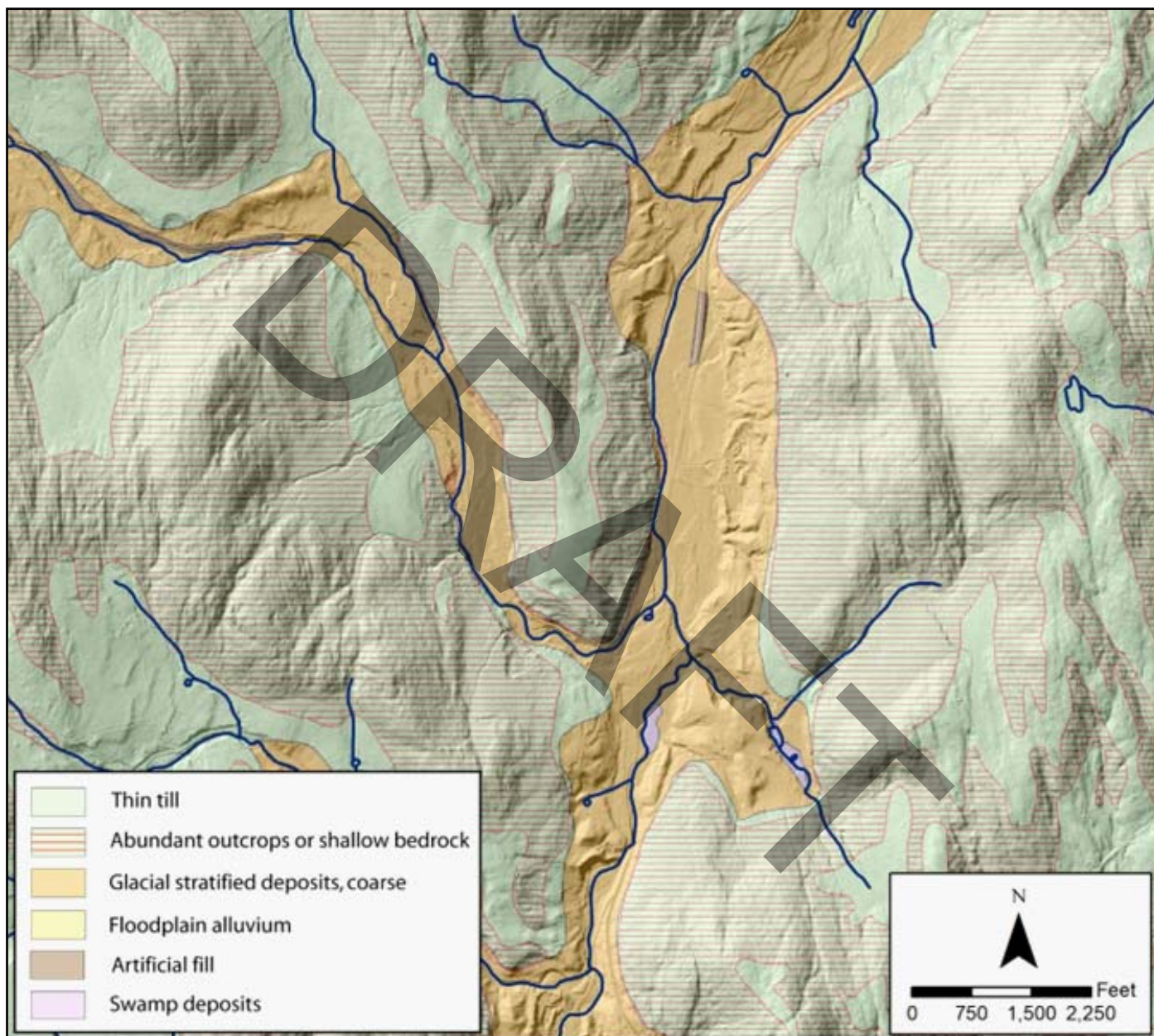


Figure 4. Surficial geologic map of a portion of the Clesson Brook watershed showing the prevalence of bedrock and coarse glacial sediments along the valley sides and stream corridors.

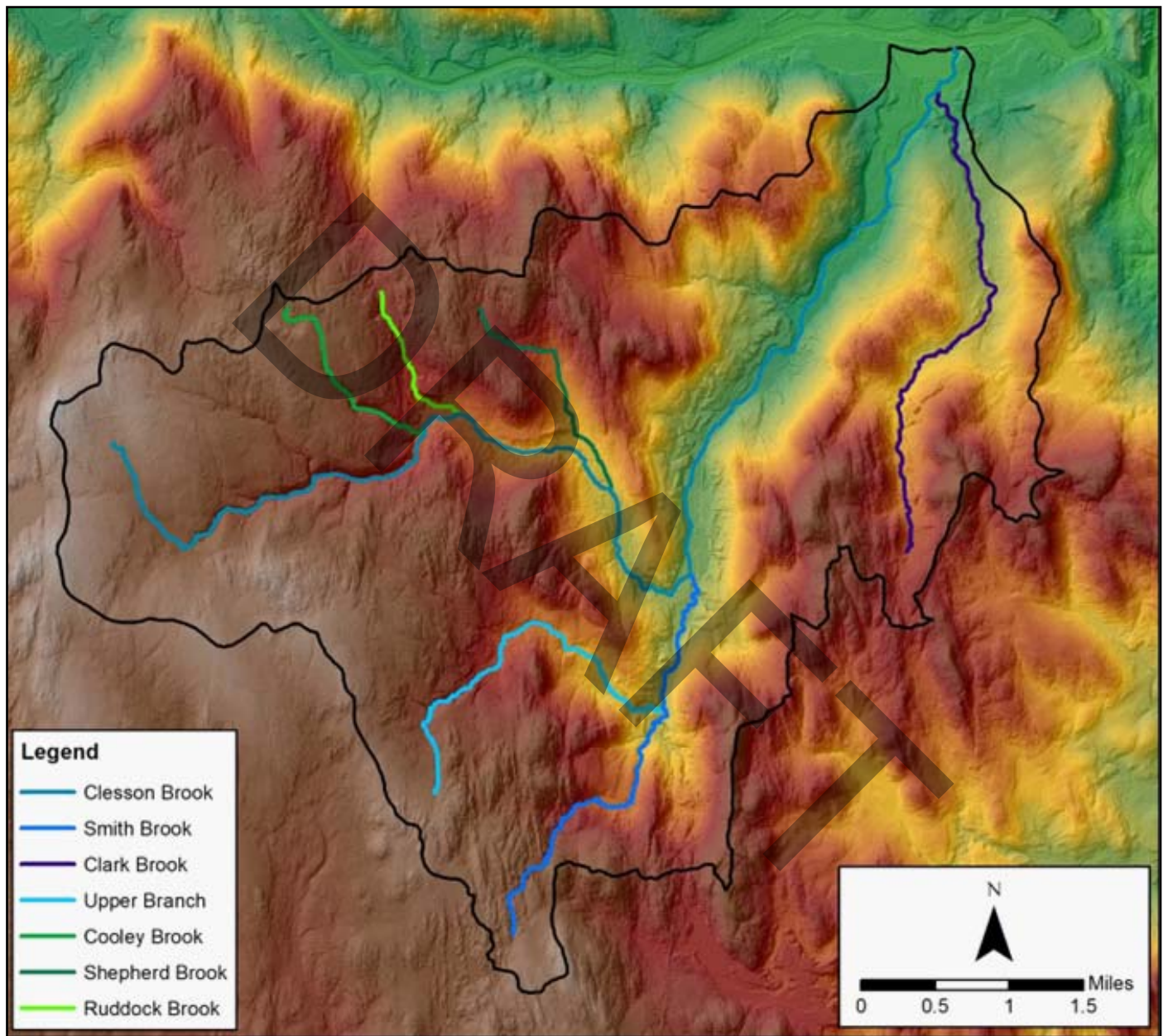


Figure 5. LiDAR elevation data and shaded relief map of Clesson Brook watershed.

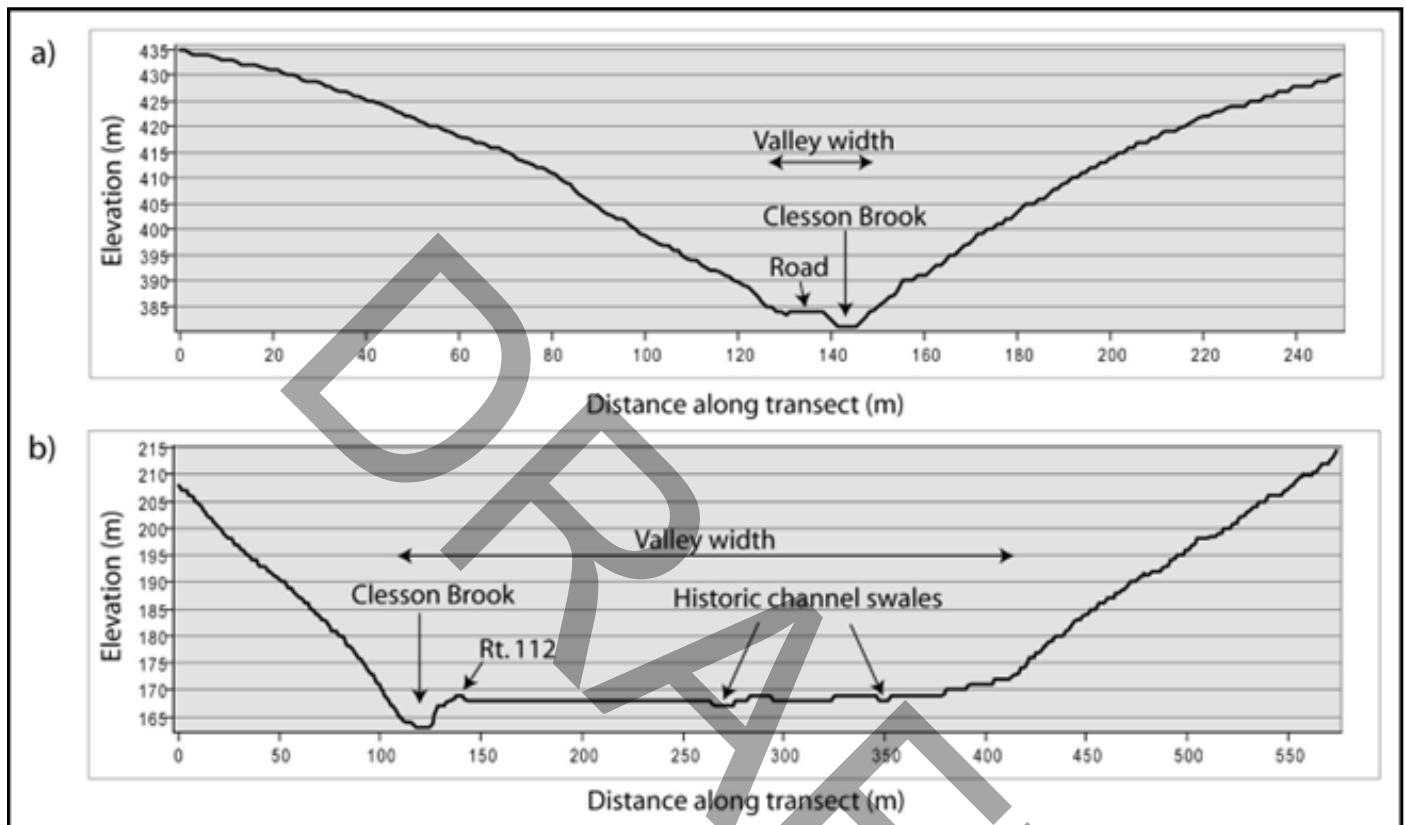


Figure 6. Comparison of cross valley profiles (from LiDAR) show a) confined stream channel typical of upper reaches of Clesson Brook and b) less confined valley bottom stream. Note in b) that channel is still confined by encroachment of Route 112; also note historic channels across wide floodplain.



Figure 7. A portion of a 1794 map of Buckland, Mass showing the confluence of Clesson Brook and the Deerfield River.



Figure 8. A portion of an 1858 map of "Buckland Centre" with two mill pond impoundments highlighted (white arrows).

A historical map of the Upper City area, showing various streets, landmarks, and property owners. The map is oriented with North at the top. Key features include Hog Mt. in the upper right, Shepherd Brook running along the right side, and several streets including W. Hart, S. Hones, and E. H. Ward. Property owners listed include S.A. Riddlock, J.P. Tyrnell, J. Smith, Mrs. A. Rood, Mrs. C. Thayer, W.F. Riddlock, S. Hones, J. Ward, E.H. Ward, School, Mrs. W. Porter, E.K. Kenney Saw Mill, J. Ward, H.A. Smith Grist Mill, S.J. Ward, E. W. Ward, F. H. Ward, and E.K. Ke. The map also shows a large area labeled 'UPPER CITY' and a large area labeled 'HOG MT.'

A hand-drawn map of Buckland Four Corners, showing roads, buildings, and surrounding areas. The map is titled "BUCKLAND FOUR CORNERS" in large, bold letters. It shows a central area with several roads and buildings. Key locations include "E. K. Kenney Saw Mill", "J. Ward", "H. A. Smith Grist Mill", "S. J. Ward", "E. Whittney Est.", "F. Hartwell", "E. K. Kenney", "W. Smith", "Cider Mill", "Mrs. Goodnow", "L. Sanderson", "Barnard School", "Mrs. O. A. Townsend", "Mrs. E. J. Bradford", "G. A. Ham", "N. Clark", and "Buckland". The map also shows "H" and "F" at the bottom, likely representing highways or roads. A large "X" is drawn over the top right corner of the map.

Figure 9. Portions of an 1895 map of Buckland, Mass showing mills and mill races in a) “Upper City” and b) “Buckland Four Corners”:

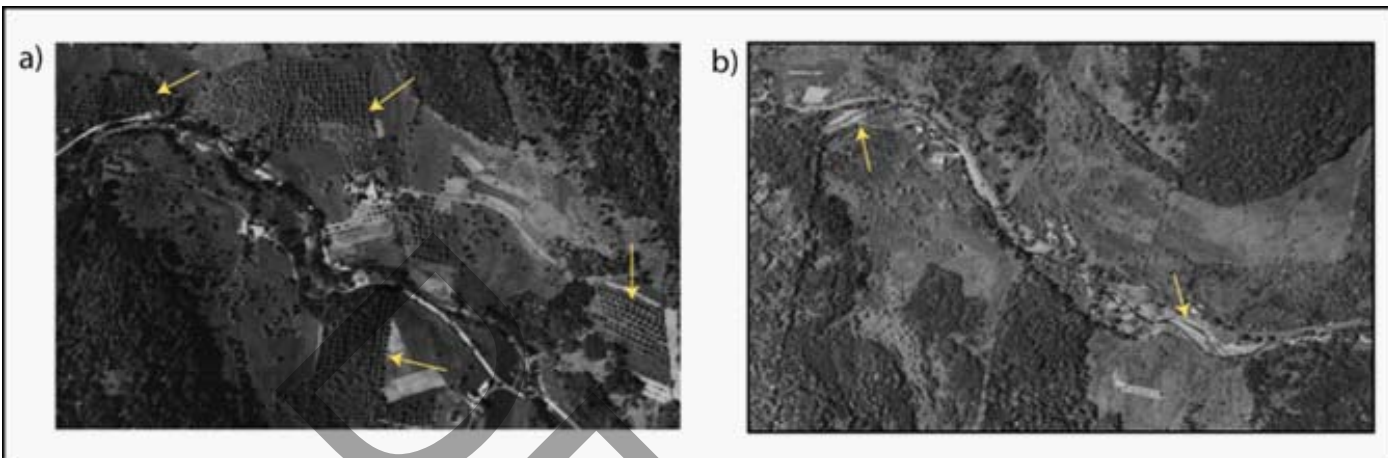


Figure 10. Historic aerial photographs from 1940 with arrows highlighting a) orchards planted along the Upper Branch valley and b) anastomosing (multi-threaded) stream channel segments with large exposed channel bars.

a)



b)



Figure 11. Photos of the aftermath of Tropical Storm Irene show a) extensive damage to paved surface of Clesson Brook Rd, and b) channel cutting through bridge crossing on Clesson Brook Rd (photos courtesy of Andrea Donlon).

a)



b)



Figure 12. Emergency work completed in the months following Tropical Storm Irene included extensive windrowing, as gravel and cobbles were excavated from the channel and piled as berms along Clesson Brook (photos courtesy of Andrea Donlon).



Figure 13. Channel bars, such as this coarse gravel/cobble point bar, were mapped during the assessment of Clesson Brook.

a)



b)



Figure 14. Headcuts, or knickpoints, migrating upstream during high flow events represent vertical instabilities in the streambed initiated in the aftermath of Tropical Storm Irene.

a)



b)



c)



d)



Figure 15 - Bank armoring along Clesson Brook includes a) boulder riprap, b) gabion baskets, c) stacked boulder walls, and d) concrete retaining walls.



Figure 16. Upstream view of headcut undermining boulder riprap along Clesson Brook Rd.



Figure 17. Wood is introduced to the channel through mass failures of high banks.



Figure 18. Channel-spanning log on Smith Brook storing significant volume of sediment upstream.

a)



b)



Figure 19. Log jams provide important geomorphic and habitat functions, by a) increasing flow complexity and encouraging meander formation in previously straightened channels, and b) by encouraging pool formation and providing cover habitat.

a)



b)



Figure 20. Wood is unevenly distributed along Clesson Brook. Many artificially straightened channel segments in a) upper, and b) lower Clesson Brook are devoid of large wood.

TABLES

DRAFT

Stream	Stream length (ft)	Stream length (mi)	Stream reaches	Upstream elevation (ft)	Downstream elevation (ft)	Channel slope (%)
Clesson Brook	55,095	10.4	23	1768	469	2.4%
Clesson Brook (upper reaches)	31,398	5.9	12	1768	686	3.4%
Clesson Brook (lower reaches)	23,697	4.5	11	686	469	0.9%
Clark Brook	20,732	3.9	7	1201	479	3.5%
Smith Brook	18,819	3.6	8	1650	686	5.1%
Upper Branch	15,935	3.0	8	1660	787	5.5%
Shepherd Brook	9,148	1.7	3	1388	843	6.0%
Cooley Brook	7,943	1.5	3	1650	1129	6.6%
Ruddock Brook	5,961	1.1	4	1355	1070	4.8%
Total	133,633	25.3	56	1768	469	2.4%

Table 1. Phase I reach data.

Table 2. Stream bank stability data

Stream segment	Stream length (ft)	Length of eroding banks (ft)			Percent eroding	Length of armored banks (ft)			Percent armored
		Left	Right	Combined		Left	Right	Combined	
CLE21D	700	0	0	0	0%	87	83	170	12%
CLE21C	568	57	27	84	7%	0	0	0	0%
CLE21B	344	0	0	0	0%	0	0	0	0%
CLE21A	1649	208	248	456	14%	0	0	0	0%
CLE20D	279	0	0	0	0%	0	0	0	0%
CLE20C	321	0	0	0	0%	0	0	0	0%
CLE20B	474	80	0	80	8%	0	123	123	13%
CLE20A	687	0	0	0	0%	0	85	85	6%
CLE19B	548	67	0	67	6%	391	144	535	49%
CLE19A	980	404	182	586	30%	149	0	149	8%
CLE18F	706	0	0	0	0%	706	0	706	50%
CLE18E	469	184	0	184	20%	0	0	0	0%
CLE18D	505	66	56	122	12%	392	173	565	56%
CLE18C	252	0	0	0	0%	252	0	252	50%
CLE18B	393	0	0	0	0%	0	0	0	0%
CLE18A	650	71	110	181	14%	197	0	197	15%
CLE17D	638	0	55	55	4%	485	0	485	38%
CLE17C	475	175	229	404	43%	0	0	0	0%
CLE17B	479	222	184	406	42%	189	142	331	35%
CLE17A	584	0	128	128	11%	0	0	0	0%
CLE16C	252	0	0	0	0%	111	0	111	22%
CLE16B	671	146	0	146	11%	143	27	170	13%
CLE16A	678	378	0	378	28%	131	0	131	10%
CLE15E	543	0	166	166	15%	219	261	480	44%
CLE15D	676	296	129	425	31%	185	0	185	14%
CLE15C	514	0	241	241	23%	438	208	646	63%
CLE15B	1463	404	271	675	23%	332	99	431	15%
CLE15A	1437	91	263	354	12%	496	0	496	17%
CLE14C	651	53	0	53	4%	0	0	0	0%
CLE14B	402	0	226	226	28%	0	0	0	0%
CLE14A	1085	127	164	291	13%	0	121	121	6%
CLE13D	632	0	0	0	0%	439	208	647	51%
CLE13C	582	0	84	84	7%	414	0	414	36%
CLE13B	1092	214	162	376	17%	0	0	0	0%
CLE13A	1258	436	169	605	24%	56	0	56	2%
CLE12D	1069	147	101	248	12%	428	358	786	37%
CLE12C	450	143	99	242	27%	0	0	0	0%
CLE12B	516	118	201	319	31%	0	0	0	0%
CLE12A	799	0	95	95	6%	0	0	0	0%
CLE11B	744	120	0	120	8%	0	0	0	0%
CLE11A	977	81	391	472	24%	0	0	0	0%
CLE10D	383	0	383	383	50%	0	0	0	0%
CLE10C	939	159	308	467	25%	0	0	0	0%
CLE10B	866	164	390	554	32%	0	0	0	0%
CLE10A	713	0	168	168	12%	0	273	273	19%

Table 2. Stream bank stability data

Stream segment	Stream length (ft)	Length of eroding banks (ft)			Percent eroding	Length of armored banks (ft)			Percent armored
		Left	Right	Combined		Left	Right	Combined	
CLE09C	478	147	0	147	15%	72	430	502	53%
CLE09B	756	207	134	341	23%	0	63	63	4%
CLE09A	1136	159	560	719	32%	0	0	0	0%
CLE08C	743	0	0	0	0%	0	647	647	44%
CLE08B	962	79	337	416	22%	0	83	83	4%
CLE08A	1030	487	0	487	24%	226	226	452	22%
CLE07C	649	0	438	438	34%	163	158	321	25%
CLE07B	514	323	97	420	41%	191	75	266	26%
CLE07A	810	0	274	274	17%	627	43	670	41%
CLE06B	622	213	145	358	29%	98	0	98	8%
CLE06A	975	56	564	620	32%	256	75	331	17%
CLE05C	744	0	0	0	0%	178	744	922	62%
CLE05B	915	158	444	602	33%	0	471	471	26%
CLE05A	571	0	377	377	33%	0	194	194	17%
CLE04B	965	114	409	523	27%	99	121	220	11%
CLE04A	1471	278	741	1019	35%	442	0	442	15%
CLE03C	820	496	0	496	30%	71	0	71	4%
CLE03B	648	193	142	335	26%	214	0	214	17%
CLE03A	1568	788	535	1323	42%	23	0	23	1%
CLE02	822	322	170	492	30%	54	65	119	7%
CLE01	1951	390	902	1292	33%	0	151	151	4%
SMI03C	473	66	80	146	15%	0	0	0	0%
SMI03B	439	0	113	113	13%	0	0	0	0%
SMI03A	932	93	79	172	9%	221	118	339	18%
SMI02D	845	158	51	209	12%	0	207	207	12%
SMI02C	826	0	207	207	13%	0	0	0	0%
SMI02B	224	43	0	43	10%	22	172	194	43%
SMI02A	703	90	171	261	19%	339	56	395	28%
SMI01E	410	0	0	0	0%	250	0	250	30%
SMI01D	1008	416	203	619	31%	0	0	0	0%
SMI01C	634	105	358	463	37%	0	0	0	0%
SMI01B	434	312	0	312	36%	0	0	0	0%
SMI01A	776	161	61	222	14%	227	432	659	42%

REAL ESTATE APPRAISAL

Property: (2 lots) Off 2 Sears Street
Buckland, Massachusetts

Client and Owner: Town of Buckland
17 State Street, Shelburne Falls, MA 01370

Effective Date: May 3, 2019
Date of the Report: May 23, 2019

Appraisers File #16776



Prepared by:
Kim A. Levitch, SRA
MA Certified General Real Estate Appraiser Lic. #258
K. Levitch Associates
40 School Street, Greenfield, MA 01301

K. LEVITCH ASSOCIATES
Real Estate Appraisers

May 23, 2019

Board of Selectmen
Town of Buckland
17 State Street
Shelburne Falls, MA 01370

Dear Sirs:

At your request, I have inspected and appraised the two parcels which are identified as a .73 acres and 1.58 acres both located at the north end west side of Sears Street, Buckland, MA, owned by the Town of Buckland, Massachusetts. The Buckland assessors reference the full property as Map 6-1 Lot 1 and a deed reference as recorded in Book 6843 pages 193 at the Franklin County Registry. Further identification and description of the property is included in this report.

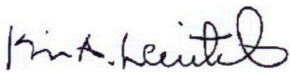
The purpose and intended use of the appraisal is to provide an opinion of the property market value for pricing the property for a potential sale by the town. This is an appraisal report in compliance with the Uniform Standards of Professional Appraisal Practice (USPAP), 2018-2019 edition.

Based on my analysis of the market data and my experience as a real estate appraiser, I have formed an opinion of the market value of the fee simple interest of each of the two proposed lots off Sears Street, Buckland, MA as of May 3, 2019 to be:

Lot 1: .73 acres - \$3,200
Lot 2: 1.58 acres - \$5,400

The following report contains 38 total pages, including this letter and addenda. If you should have any questions regarding the appraisal, please feel free to contact me.

Very truly yours,



Kim A. Levitch, SRA
MA Certified General Real Estate Appraiser, Lic. #258

P. O. Box 1553 • 40 School Street
Greenfield, MA 01302
(413) 774-2959

TABLE OF CONTENTS

I. INTRODUCTION

TITLE PAGE.....	3
TABLE OF CONTENTS.....	3
CERTIFICATION.....	4
EXECUTIVE SUMMARY.....	6
PHOTOGRAPHS OF THE SUBJECT PROPERTY.....	7
LIMITING CONDITIONS STATEMENTS.....	3

II. FACTUAL DATA

PURPOSE AND SCOPE OF THE APPRAISAL.....	10
LEGAL DESCRIPTION AND TITLE.....	3
AREA, CITY AND NEIGHBORHOOD DESCRIPTION.....	3
FAVORABLE AND UNFAVORABLE FACTORS.....	3
REAL ESTATE MARKET CONDITIONS.....	3

III. PROPERTY DATA:

SITE:.....	3
SITE CONDITIONS AND IMPROVEMENTS.....	3
EQUIPMENT.....	3
HISTORY.....	3
ASSESSED VALUE AND ANNUAL TAX LOAD.....	3
PUBLIC LAND USE CONTROLS.....	3
ZONING, SUBDIVISION, WETLAND, FLOOD PLAIN, WATER RESOURCE OR AQUIFER PROTECTION DISTRICTS, OTHER OVERLAY, SANITARY CODE.	10

IV: ANALYSIS AND CONCLUSIONS

HIGHEST AND BEST USE.....	18
SALES COMPARISON APPROACH.....	3
COST OF DEVELOPMENT APPROACH.....	3
COST APPROACH.....	3
INCOME CAPITALIZATION APPROACH.....	3

ADDENDA:

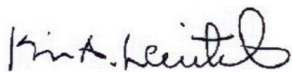
LOCATION MAP - BUCKLAND, MA.....	iii
GIS MAP WITH ASSESSOR OVERLAY.....	iv
SITE MAP FROM SVE.....	v
PROJECT MAP.....	vi
PRIORITY HABITAT MAP.....	vii
LEGAL DESCRIPTION BOOK 6843 PAGE 193 - F.C.R.D..	viii
COMPARABLE SALES.....	xi
APPRAISERS QUALIFICATIONS.....	xiv

CERTIFICATION

I, the undersigned appraiser, certify that, to the best of my knowledge and belief:

- the factual statements contained in this report are true and correct.
- the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions and conclusions.
- I have no present or contemplated interest in the subject property, and I have no personal interest or bias with respect to the parties involved.
- the appraisal was not based on a requested minimum valuation, specific valuation, or the approval of a loan.
- the fee charged for this report is not contingent in any way on any action or event resulting from the analyses, opinions, or conclusions in, or the use of, this report.
- my analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- no one provided significant professional assistance to the person signing this report.
- I, Kim A. Levitch, have made an inspection of the subject property.
- The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with requirement of the Appraisal Institute's Code of Professional Ethics and Standards of Professional Appraisal Practice, which include the Uniform Standards of Professional Appraisal Practice.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representative.
- As of the date of this report, I have completed the continuing education program of the Appraisal Institute.

I have not previously appraised or consulted on this property within the past three years.



Kim A. Levitch, SRA
MA Certified General Real Estate Appraiser, Lic. #258

EXECUTIVE SUMMARY

PROPERTY LOCATION: Off 2 Sears Street, Buckland, MA

OWNER OF RECORD: Town of Buckland

INTERESTS APPRAISED: Fee simple estate (ROW access is assumed via Sears Street)

DEED REFERENCE: Franklin County Registry of Deeds, Book 6843, Page 193 as of for \$325,000 (includes a total lot of 4.7 acres and a shop/warehouse building.

ASSESSOR'S REFERENCE: Map 6-1 lot 1, FY2019 total assessment with building and full lot of 4.7 acres is \$582,000. The land alone is \$74,200 (\$15,787/Ac or \$.36/Sf).

ZONING: VR - Village Residential (min. size is 20,000 square feet and 100' frontage with water and sewer available and 40,000 square feet and 150' frontage without sewer line hook up).

IMPROVEMENTS: None

SITE: .73 and 1.58 acres (see the project map drawn by Justin Bardwell an abutter and potential buyer).

HIGHEST AND BEST USE: H & B use is with the current use by the DPW. If considered as excess or surplus land each parcel is a limited use property also with potential for assemblage by an abutter.

HYPOTHETICAL CONDITIONS/ EXTRAORDINARY ASSUMPTIONS: Assumes a ROW access and that the site is "clean."

OPINION OF MARKET VALUE: **Lot 1: .73 acres - \$3,200**
Lot 2: 1.58 acres - \$5,400

EXPOSURE TIME: Exposure time is estimated at six months

EFFECTIVE DATE OF APPRAISAL: May 3, 2019

DATE OF THE REPORT: May 23, 2019

PREPARED FOR AND AT THE REQUEST OF: Board of Selectmen
Town of Buckland
17 State Street, Shelburne Falls, MA 01370

PURPOSE AND INTENDED USE OF THE APPRAISAL: Form an opinion of market value of the fee simple interest for potential sale of the property to the property abutter Justin Bardwell

APPRAISER: Kim A. Levitch, SRA
MA Certified General Real Estate Appraiser, Lic. #258
K. Levitch Associates
P. O. Box 1553, 40 School Street, Greenfield, MA

1. PHOTOGRAPHS OF THE SUBJECT - off of Sears Street (.73 ac north lot)



2. PHOTOGRAPHS OF THE SUBJECT - off of Sears Street ROW (1.58 ac lot south end)



3. PHOTOGRAPHS OF THE SUBJECT - looking westerly uphill north end lot



4. South end lot looking southwest.



II. FACTUAL DATA

PURPOSE, SCOPE AND INTENDED USE OF THE APPRAISAL

The purpose of this appraisal is to form an opinion of the market value of the land identified as being on the west side of Sears Street, Buckland, MA. The two lots are shown as being about 1.58 acres and .73 acres. The lots are drawn on the potential buyers map. A copy of the map is included in the report addenda.

The client is the town of Buckland who is the intended user of the appraisal.

The purpose and intended use of the appraisal is to provide an opinion of the market value for negotiation with a potential buyer of the property.

To complete the appraisal the following have been completed:

- The property was inspected in May 3, 2019. Characteristics of the property were noted during this inspection. Public records in Buckland were researched. These include the assessors office for the current assessments and taxes on the property, the legal description/deed was researched at the Franklin County Registry of Deeds and any transfers of the subject in the past five years were reviewed.
- Each of the comparable sales were viewed in May 2019. For each sale the deed was reviewed along with assessors records, and surveys, Google maps, and USGS topographic maps of the properties, any MLS information regarding the sales.
- Public records consulted included zoning by-laws for Buckland and other public land use controls. These were considered along with the physical characteristics of the property, along with current market data and activity to support my conclusion of highest and best use of the property.
- Finally the results of these investigations, inspections and research as well as my conclusions are to be set forth in an appraisal report in compliance with the clients Appraisal Requirements.

The appraisal assignment includes an inspection of the property and valuation by the appropriate valuation methods. Highest and best use is considered and a final opinion of value is made. The estate appraised is the fee simple interest.

Data supplied from the Federal Census Reports and the Department of Employment and Training, the Franklin County Chamber of Commerce, and the Pioneer Valley Planning Commission Base Data Report have been used in the analysis. The assessor's office, planning department, and clerk's office have been consulted. Numerous local property owners, brokers, and real estate sales persons have been relied upon for market data in Buckland and related market areas. Market data has been compiled by me in the course of other similar property appraisals performed by myself in the past within the area.

HYPOTHETICAL CONDITIONS/EXTRAORDINARY ASSUMPTIONS: Plans for the lots have been drawn by the potential buyer. Sears Street ends at the beginning of the subject lot. Therefore I have assumed ROW access to the two subject parcels.

A **hypothetical condition** is “a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis.” (USPAP - 2018-2019 Edition, Page 4, The Appraisal Foundation).

An **extraordinary assumption** is “an assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraisers opinions or

conclusions.” (USPAP - 2018-2019 Edition, Page 4, The Appraisal Foundation).

MARKET VALUE DEFINITION¹

Market value is defined as the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- (1) buyer and seller are typically motivated;
- (2) both parties are well informed or well advised, and each acting in what he considers his own best interest;
- (3) a reasonable time is allowed for exposure in the open market;
- (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

IDENTIFICATION OF THE PROPERTY AND FIVE YEAR SALES HISTORY

The subject two lots are part of the town highway department parcel located at 2 Sears Street, Buckland, MA. It was conveyed from Mayhew Steel Products Inc. to the Town of Buckland on 4/22/2016 for a consideration of \$325,000. The full property includes a site of 4.7 acres and a multi section warehouse and manufacturing building of 27,384 square feet.

The subject two lots are listed as .73 acres and 1.58 acres. Both are located on the west side of the street/driveway across from the existing building.

This is an appraisal report that is intended to comply with the reporting requirements set forth in title XI of the Financial Institutions Reform, Recovery and Enforcement Act and development of 1989 (FIRREA); the Interagency Appraisal and Evaluation Guidelines and the Uniform Standards of Professional Appraisal Practice (USPAP), 2018- 2019 edition.

SUMMARY OF THE APPRAISAL PROBLEM

The valuation is to focus on the value of the property. The client is considering a sale to one of the property abutters.

This is a land appraisal in which I have used traditional valuation techniques. With this in mind, market data and analysis will be undertaken to formulate data regarding market supply and demand for this type of property. The subject physical characteristics will have to be examined and then they will need to be examined in the context of legal restrictions. These restrictions include zoning by-laws, Wetlands, Rivers Act, Natural Heritage, flood zone and other regulations.

1

Rules and Regulations, Federal Register, Vol. 55, No. 165, Page 34696.

IDENTIFICATION OF NON REALTY ITEMS

The appraisal assignment is for only the real property and typically permanently affixed items. Since this is a raw land appraisal, none of these exist.

POTENTIAL ENVIRONMENTAL ISSUES

On the day of inspection there were no visible indications of soils or site contamination. The appraiser is not an expert in environmental matters. Questions regarding environmental compliance are deferred to a qualified environmental engineer. As is typical in land appraisals I have assumed the site to be "clean." Should it turn out that the site is in some way contaminated that condition would have an impact on my conclusions of the property market value.

MARKET AREA DESCRIPTION

Franklin County is in northwest Massachusetts. There are 26 towns within the county along with Greenfield which is the only city. The county is being bisected by Interstate Route 91 north-south and the Connecticut River. This is a largely rural and residential area, with Greenfield being its population, employment and commercial center. The county government is Franklin Regional Council of Governments which has its office in Greenfield. The following shows the county population trends since 1970.

<u>Franklin County</u>	<u>Population</u>	<u>Change</u>
U.S. Census 1970	59,210	-
U.S. Census 1980	64,317	+8.6%
U.S. Census 1990	70,092	+9.0%
U.S. Census 2000	71,535	+2.06%
U.S. Census 2010	71,372	-.23%
Donahue Institute 2015	70,498	-.12%
DI Projection 2020	70,703	-.2%

Franklin County is part of the Northern Tier economic area. The Northern Tier is the largest rural region in the state. It includes Gardner, Orange-Athol, Greenfield, and the Northern Berkshire subregions. There are a 44 cities and towns in this area.

Buckland is bounded on the south by Ashfield, and Conway, on the east by the Deerfield River and Shelburne, on the north by Colrain, and on the west by Hawley. It covers 19.86 square miles. It is served by Routes 2 (the Mohawk Trail, E/W) and 112 (N/S) and has one full-time police officer, volunteer fire department, and a joint school system with Shelburne. Local government is by open town meeting with a board of selectmen.

<u>Buckland</u>	<u>Population</u>	<u>Change</u>
U.S. Census 1970	1,892	-
U.S. Census 1980	1,864	-1.5%
U.S. Census 1990	1,928	+3.4%
U.S. Census 2000	1,991	+3.27
U.S. Census 2010	1,902	-4.47%
Donahue Institute 2015	1,838	-3.5%
DI Projection 2020	1,793	-2.5%

Buckland is one of the "hill towns", so called because of its location in the Berkshire Foothills and its topography. This is an active area with low vacancy rate, and moderate to low rent levels. There has been little recent new construction particularly of commercial property. The subject a little northwest of the village center on the edge of an older residential neighborhood. On the east side is a railroad line and downhill from that is the village center, the town hall and the Deerfield River. To the west is a large

woodland area to raises up to the west.

LAND MARKET

The subject competes with the other small vacant land parcels in the area. The following is a listing of all the MLS land sales in Buckland over the past five years with the median price listed and the days on the market.

MLS Land Sales *	Sales	Median S.Price	DOM
2018	2	\$42,000	606
2017	2	\$46,250	422
2016	3	\$42,000	476
2015	1	\$25,000	91
2014	1	\$18,000	534

*For 2019 as of May 1 there has been no MLS land sales recorded for Buckland and during the same time there was a single MLS single family sale in Buckland which was for \$137,500.

The median sales price is a little misleading since the sales encompass a very wide range of sizes and prices including several sales of about two acres to several over 20 acres. With one of two large sales the median sales price for any year can be widely distorted. Conversely several very small sales can drop the median in any one year. The following is a list of the six MLS land listings for Buckland:

- 1 . Bray Road, Buckland, of 2.04 acres listed at \$40,000 - DOM 132
2. Lot 10 Bray Road, Buckland, of 2.09 acres listed at \$24,900 - DOM 1,495
3. Orcutt Hill Road, Buckland, of 6.08 acres listed at \$124,000 - DOM 322
4. Lot 4A Bray Road, Buckland, of 2.87 acres listed at \$29,900 - DOM 1,495
5. 138 E. Buckland Road, Buckland of 13.5 acres listed at \$65,000 - DOM 2
6. Ashfield Road, Buckland, of 59 acres listed at \$149,900 - DOM 325

As can be seen the local land market is very small with little supply and very few annual sales. As a result it is difficult to calculate changes in the market such as price changes, marketing times other than to show the trend in overall sales. Since there is some relationship between the land and residential markets, I have compiled statistics in this market segment which in turn suggests trends in the overall market. The MLS sales are not the full number of sales in the market, but they are both a large percentage of the sales and they tend to be mostly market sales. All figures are on an annual basis. Highs for each category are highlighted.

The following are single family sales as reported from the MLS for all of Franklin County.

Annual	Sales	Avg. S.P.	DTO	Med.S.P.	Price Change	Invent. 6/1	F.closures
2018	593	\$230,465	98	\$210,000	3.2% / 2.4%	223	79
2017	643	\$223,359	86	\$205,000	3.3% / 2.5%	273	87
2016	624	\$216,041	93	\$200,000	5.8%/8.1%	341	93
2015	568	\$204,187	105	\$185,000	.1% / 0%	399	83
2014	535	\$202,446	109	\$185,000	1.5% / 0%	400	60
2013	452	\$199,393	113	\$185,000	short sales*	402	58
2012	486	\$185,119	103	\$170,000	-2.1% / -1%	449	88
2011	417	\$189,106	114	\$171,500	-2.9% / -4.7%	399	122
2010	448	\$194,818	111	\$180,000	-4.1% / -2.7%	466	144
2009	478	\$203,148	117	\$185,000	-3.5% / 1.4%	445	81
2008	411	\$210,747	95	\$182,500	-6.8% / -8.8%	456	91
2007	521	\$226,233	85	\$200,000	-.1% / 2.4%	442	73
2006	580	\$226,702	65	\$205,000	-1.4% / 3%	390	38
2005	645	\$229,862	87	\$199,000	9.1% / 7.9 %	258	19
2004	695	\$210,698	49	\$184,500	15% / 15.4%	207	28

*The foreclosure data is for recorded foreclosure deeds. It does not include land court recorded foreclosures. The number of sales, and median and mean sales prices are Franklin County MLS statistics. The data set includes both the average and median sales prices. The days on the market, DOM, for sold property is also shown. This shows a small increase over the past year, and increases in prices paid both on an average and median sales price basis.

The days til offer, DTO has continued a downward trend since 2011. Offsetting this is the up and down listing activity. Listings tend to fluctuate during the year with sometimes dramatic short term ups and downs. In terms of price changes both the median and average MLS sales prices have increased from 2012 to 2013. As noted by the realtor association a large part of this is due to the large decrease in short sales as part of these statistics. The decreasing numbers of short sales, which tend to be distressed and thus usually sell below market value, lowers the average and median sales prices and thus a decrease in this segment of sales would raise both levels without there being an actual increase in values. As noted the median sales price for 2015 was \$185,000 which is the same as in 2009 and similar to 2004 when it was \$184,500.

As of the effective date of the appraisal time the number of active single family listings has dipped under 200 and the average days on the market went from 193 as of January 1 to 165 days as of May 1. As of January 1 there were 113 land listings in the County and that has increased to 143 as of May 1. The average days on the market has gone from 382 down to 354 as a result of the increase in listings. The Median list price is \$70,000. As of May 1 there were 14 MLS land sales in the county. These had an average of 297

days on the market and an average sales price of \$100,064. Of these sales eight were under fifty thousand dollars and 12 were under one hundred thousand dollars. As a result the median sales price was only \$39,500. There were two sales over one hundred thousand dollars one for \$270,000 and the other for \$625,000

With these factors in mind, I have estimated exposure time for the subject property at six months.

Exposure Time: Exposure time is the estimated length of time that the property interest appraised would have been offered on the market prior to the hypothetical consummation of a sale at the market value on the effective date of the appraisal. (2016-2017 USPAP).

III. PROPERTY DATA:

A. Site The subject is part of the old Mayhew Steel Products property now owned by the Town of Buckland for its DPW. The property had been owned by Goodell Pratt Company. Goodell-Pratt was a tool manufacturing company that merged with the Millers Falls Tool Company in 1931. The property was sold to Mayhew Steel Products in 1964. The deed includes the description of a right of way to the grantee but also subject to rights of "others" for use of the ROW. The ROW is described at 152' west of the railroad line and 12' in width running from Wellington Street to the north out to North Street. There is also an electric line easement running through the property.

On the east side of the ROW is the existing manufacturing and warehouse building which is sited along the railroad line. On the west side of the ROW are the two subject parcels. These are drawn as .73 acres and 1.58 acres.

The .73 acre parcel is shown with 173' frontage, 232' along the south line and 83' along the west line. This lot is slightly up hill from the ROW at the north end of the lot. Most of the lot is cleared, fairly level and gravel covered. Is used for truck and equipment storage. On one of my days of inspection, snow plows and other equipment were being stored and worked on in this section of the property. There is a tree line along the north property line, large open area along the ROW and along the south border, as drawn, a flagged wetlands. To the west near the end of this lot there is a small opening and roadway into the wooded section of the lot. I spoke with several people about this lot and they questioned whether or not there was some site contamination but this was not possible to see visually. The appraisal assumes there has been no dumping or contamination of this parcel or of the second parcel considered in this appraisal.

The 1.58 acre parcel is almost all open along the road frontage. The frontage is listed as being 435' and the back west side as 152.3 yards (456.9') and with a south line of 159'. This is mostly level parcel that is grassed over. Along the north and west side of the field is a drainage swale. It appears that parts of this parcel have been used on a temporary basis for truck parking in the past. The west side of the lot is wooded with some uphill slopes to a truck parking area off site. Everything further west is hillside woodlands.

Wetlands: A plan by SVE Associates shows a wetland area as flagged along the west side of the grassy area, running the length of that area and then going downhill along the area between the two proposed lots. The wetlands area is a fairly narrow strip. The map also shows both the 50' and 100' wetlands setback areas. These cover most of both of the proposed lots and in addition run out and over a large area of the existing ROW. These will limit change in use of both parcels.

B. Site Conditions and Improvements:

Site: 1.58 acres and .73 acres
Useable areas: Both lots have wetlands areas that lessen useable sections
Road frontage: 173' on to north lot of .73 acres the other lot is 435'
Utilities: Water, sewer, power
Parcel #: Map 6-1 Lot 1 (west side only)

The parcel slopes up slightly from the Sears Street ROW to the west. A copy of the assessors map is included in the report addenda along with a map of the proposed two lots to be sold off.

Utilities: There is electric power and telephone service along the road frontage.

Sewer/septic availability: There is public sewer in this location.

C. Equipment: There are no non-realty items included in the valuation.

D. History: The subject is a former manufacturing plant that had been in the tool trade since at least 1925. It is likely somewhere on site there is ground contamination. I was not able to obtain a copy of any 21 E reports from the town.

D. Assessed Value and Annual Tax Load: Map 6-1 lot 1, FY2019 total assessment with building and full lot of 4.7 acres is \$582,000. The land alone is \$74,200 (\$15,787/Ac or \$.36/Sf)

Location	Map/lot	Size	Land	Total	T. Rate	R.E. Taxes
Sears Street	6-1 lot 1	4.7 ac	\$74,200	\$582,200	\$18.63	\$10,846.39

As with all properties in Massachusetts the assessment is to be at 100% of value as of the assessing date. For fiscal 2019, which began on July 1, 2018, the assessing date would be as of January 1, 2018.

F. Insurance: No issues

G. Public Land Use Controls:

Surplus Land. Land that is not currently needed to support the existing use but cannot be separated from the property and sold off for another use. Surplus land does not have an independent highest and best use and may or may not contribute value to the improved parcel.

Excess Land. Land that is not needed to serve or support the existing use. The highest and best use of the excess land may or may not be the same as the highest and best use of the improved parcel. Excess land has the potential to be sold separately and is valued separately.

I have assumed that the subject parcels would have ROW access.

ZONING DESCRIPTION

The Buckland Zoning By-Laws (as amended September 25, 2014), show the subject as located in the VR-Village Residential. The zoning map is dated as of October 6, 2005.

Permitted uses include single family, two family, accessory apartment, temporary mobile home, conversion of a single family home to a two-family, forestry, farming on a lot equal to or greater than 5 acres, commercial greenhouse on a lot equal to or greater than five acres, wildlife preserve or other conservation uses, educational uses exempted from zoning regulation by M.G.L. Ch 40A, Section 3, church, other religious use, day care center for children exempted from zoning regulations by M.G.L. Ch 40A, Section 3, Home Based Business and Farm Stand allowed by Ch. 40A, Sec. 3. There are a number of uses allowed if a special permit has been granted by the Zoning Board of Appeals.

The following is a summary of the subject zone density regulations:

Minimum lot size:	20,000 Sf or 40,000 Sf if water or sewer is not available
Minimum lot frontage:	100', (increases to 150' if water or sewer is not available) setbacks are 20' front, 10' side, 10' rear, with a maximum height of 35' and maximum lot coverage of 50%.

The VR district has the same size requirements as the VC zone. The subject is part of a pre-existing use that maybe non-conforming but permitted due to the lack of road frontage. The existing use could be rebuilt if destroy by fire for a time of two years.

Flood Plain Overlay: There is a Flood Plain district that is established as an overlay district. The underlying uses are permitted but they must also meet the flood plain section of the Massachusetts State Building Code. The subject area is not listed as a an area of Chronic Flooding.

History and indications of hazardous waste or contamination: On the day of inspection there were no visible signs of soil contamination or hazardous waste. The history of use that I have access to is unclear but does not indicate hazardous contamination. The north lot in particular of .73 acres has been used as a storage area for many years and may have some spillage contamination. Since I am not an expert in contamination the client should seek further assistance if there are questions regarding this question.

Natural Heritage & Endangered Species Program: This program is under the Massachusetts Endangered Species Act of 1978, 321 CMR 10. The most recent mapping was as of June 1, 2008. Also checked is the Estimated Habitats of Rare Wildlife and Certified Vernal Pools overlays. Both the Priority Habitats of Rare Species Map and the Estimated Habitats of Rare Wildlife Map show that none of the subject is in an estimated habitat area.

Rivers Protection Act: As of its enactment date of August 7, 1996, the Massachusetts Rivers Protection Act amended and expanded the state Wetlands Protection Act. The Rivers Act authorizes local conservation commissions to regulate land use activities within a 200' wide buffer or "wetland resource" area along the perennial (flowing all year, not just seasonally) rivers and waterways in the State. Activity or disturbance within the "river-front area" is allowed only with issuance of a permit by the local Conservation Commission and requires adequate proof to the Commission that the proposed activity has no economically practical alternative and that sufficient mitigating and corrective measures are in place to protect the wetlands. The subject is not along a waterway.

Wetland Regulations

The Massachusetts Wetlands Protection Act (Chapter 131, Section 40 of the Massachusetts General Laws) applies to areas that are designated such land types. Development and use of areas classified as wetlands and their buffer zones are controlled by these laws and subject to approval by the local Conservation Commission. Vegetated wetlands and year-round and seasonal streams are affected. Impact and mitigation procedures are required within their 50' and 100' protective buffer zones. Large sections of the subject are shown as wetlands areas. The site map by SVE shows the flagged wetlands as well as the setback areas. A copy of the map is included in the report addenda. The wetlands areas are along the west and north end of the field. Buffer areas which extend 50' and 100' on each side of the wetlands cover almost the entirety of each lot.

The wetlands and setback area would severely limit use of the two lots considered in this appraisal.

IV: ANALYSIS AND CONCLUSIONS

THE VALUATION PROCESS²

“The valuation process is a systematic procedure an appraiser follows to provide answers to a clients questions about real property value.”

There are eight steps in the valuation process. They are the definition of the problem, a determination of the scope of work, data collection and property description, data analysis (includes highest and best use), site value opinion, application of the approaches to value, reconciliation of value and final opinion of value, and finally reporting of the defined value.

Valuation usually is by one of the three traditional valuation methods. These are the cost approach, the income capitalization approach and the sales comparison approach. Each can be applied in a number of ways utilizing a wide range of techniques and procedures. Each shares the fact that they are based on and supported by market data.

The first approach is the cost approach to value. This is an estimate of either the replacement or reproduction cost of improvements, less depreciation, plus land value, plus site improvements, with the resulting figure the conclusion of value. This is particularly useful in new construction, special use properties, or in active markets where there is new construction going on to extract actual costs from.

The second approach is the income capitalization approach. This approach is based on the relationship between the amount of income a property is forecast to earn and its value. Anticipated net operating income of the property is either capitalized into a value estimate, if it is considered a stabilized income stream, or using a discounted cash flow analysis, if it is not. In both cases a net operating income before income taxes and debt service is forecast. The standard for the income, the expense and the capitalization and discount rate estimates, is that they be market based with the best most direct method being that they be extracted from other similar sales.

The third approach is the sales comparison approach. Recent sales of like property are compared to the property and are either adjusted for differences with the subject or ranked by valuation elements to arrive at a comparative value. The viability of the approach rests with the strength or weakness of the set of sales used in the comparison.

After the three approaches are developed or considered the final step is reconciliation or correlation of the value indications. In this part of the valuation process each approach is considered based on the relative applicability and appropriateness of each with consideration of the quality and quantity of market data used to support each.

The valuation is presented in a report that complies with the reporting requirements and needs of the client in compliance with the Uniform Standards of Professional Appraisal Practice, USPAP, and any other appropriate required reporting and valuation and reporting standards as noted in this report.

² The Appraisal of Real Estate, 14th edition, 2013, Appraisal Institute, Chicago, Ill, page 35.

A. Highest and Best Use Analysis

Highest and Best Use is defined in the, The Dictionary of Real Estate Appraisal, 6TH Edition, 2015, published by the Appraisal Institute, Chicago, Ill., page 109 as: "The reasonable, probable and legal use, of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity."

Generally highest and best use is considered both "as is" and "as vacant" for improved property. For land the property is considered "as is." The conclusion of highest and best use determines the direction and methodology used in the valuation.

Highest and Best Use

The subject is zoned VR - village residential. This allows for a wide range of residential uses and the property is part of a larger parcel which has been used for manufacturing for many years and most recently is now owned by the town. The two lots however would be a new configuration and thus would be considered a change in use. As such they would only have a right of way access and would not qualify as building lots. In addition there is a flagged wetland area that is on both lots and the 50' and 100' buffer areas lap over onto almost the full lot area. Since the wetlands can be a difficult obstacle to overcome for most uses this is seen to further limit use of the property.

As reported in the Market Analysis section of the report the single family market segment has been limited and very small in Buckland. The land market has been even smaller and over the past five years has averaged less than two MLS land sales per year in Buckland. At the current time there are six MLS land listings in Buckland. Since the supply of available lots far exceeds current demand levels is doubtful anyone would attempt a change of use in the subject property even if the wetlands and ROW way access issues could be overcome.

With these physical and legal restrictions and limitations the subject is considered to have greatly reduced potential uses and thus diminished value. Generally property such as this can continue in the current use. This would be for site storage or as recreation and woodland uses. Thus the subject two lots are concluded to be limited use parcels.

Based on consideration of these factors I have concluded highest and best use is the current use, on site storage by the DPW, and if considered separately as limited use parcels.

SUBJECT VALUATION

The three traditional approaches to value, the sales comparison, the income capitalization and the cost approaches are discussed as follows for the subject property. For the subject type property the sales comparison approach is appropriate.

B. Sales Comparison Analysis

The basis of the sales comparison analysis is in the use of like kind sales that share the same value elements as the subject. The closer the similarity usually the stronger and more valid the approach. There are two main categories or elements of comparison. The first set are known as **Transactional Adjustments** and are as follows:

- Real property rights conveyed
- Financing terms
- Conditions of sale
- Expenditures made immediately after purchase
- Market conditions

This set of elements of comparison are sequential in that the order they are made is important to the bottom line. The second set of elements of comparison are non-sequential and are known as **Property**

Adjustments. They are as follows:

- Location
- Physical characteristics
- Economic characteristics
- Use/zoning
- Non-realty components of value

Comparative analysis is accomplished by either a quantitative or qualitative techniques. Quantitative techniques include paired sales analysis, group data analysis, and secondary data analysis. There are statistical analysis techniques which include graphic and scenario analysis. Cost related adjustments include cost-to-cure, and depreciated cost analysis. Finally capitalization of income differences are used in a variety of formats to account for differences between properties.

Qualitative Analysis may be accomplished by the use of trend analysis, relative comparison analysis, and ranking analysis. When statistical methods do not lead to precise adjustments they can be combined to service as part of ranking or RCA comparisons.

Subject Sales Analysis: I have searched for sales with the same or similar highest and best uses. I have concluded that the subject has limited development potential as drawn because it does not have legal road frontage and has wetlands and wetland buffer areas which cover the majority of the site. With this in mind I have searched local sales for other lots that are limited use properties. First I have looked in Buckland and then in abutting areas. Since this is a small market area with few similar sales I have considered a variety of sales in the market area. I have focused my sales search on similar uses in similar locations. Details of these sales are included in the report addenda. The sales are arrayed in terms of size as follows:

Location - Sales	S. Date	S. Price	Acres	\$/Ac	
1. Wren Gould Rd., Wendell	5/29/15	\$15,000	2.85	\$5,263	Woodlands
2. Main Rd., Colrain	6/03/16	\$4,800	3.8	\$1,263	River frontage
3. French King, Erving	12/07/16	\$20,000	11.64	\$1,718	Woodland

All the sales are considered in fee simple estate as unencumbered. All were sold subject to conventional financing or as a cash sale. The market conditions adjustment is for a change in time since each sale occurred. As can be seen in the market data section of this report average and mean single family prices have been appreciating in the past two years but at a slow rate.

Sale 1 is a small woodland parcel located in Wendell. It has the size and road frontage, 266', to become a building lot. However the lot has soils that are considered difficult to meet current Title V perc regulations. The broker had it listed as a "recreational" parcel as a result. It also did not have electric along the frontage but was noted to be nearby. It had been listed most recently at \$24,900 but the severe site limitations resulted in a sale price at \$15,000. This is probably superior to the subject in terms of potential since the location while much more remote is woodland with only scattered residential. It thus may have some slight potential as a buildable lot or at least as a camping/recreation lot.

Sale 2 is 3.8 acres and is located several miles from the subject to the northeast. This property has both long street and river frontage. The river frontage was estimated at 800' + with areas considered very accessible. This is a mostly woodland parcel with some cleared area. The broker had it listed as "great for fishing." After an extended marketing time, over 394 days, it sold below the list price which had been \$10,000 for \$4,800.

Sale 3 is woodland parcel located off Rt 2 at the corner of Old State Road. At one time it had been listed for \$28,000 in 2013 but after a long extended marketing time the price was reduced to \$20,000. The broker had it listed as a "great woodlot." He also noted it had minimal soil depth and exposed rock ledge so "will not likely perc." It was noted to have a medium to mature hardwood forest stand and that logging had taken place 15 to 20 years ago. It had a size of 11.64 acres and 1160' of street frontage. There is electric service in front of the site but no public water or sewer in this location.

The sales range from 2.85 acres to 11.64 acres with sales prices between \$1,263 to \$5,263 per acre. The subject is considered much more limited than sale 1 which may have some potential as a difficult building lot and as an excellent camping recreational parcel. Sales 2 and 3 are much more limited than sale 1 and are thus more similar to the subject. Both sales 2 and 3 are located along well travel roads which are much less desirable in terms of camping and recreational uses than sale 1. As such they are both more similar to the subject that is in a mixed use location with the town DPW across the street next to a railroad line.

Generally sales have a drop off in prices per acre as they increase in size. This is from an economy of scale and diminishing returns for the larger lots if all factors are equal among the sales. In this set of sales there are some differences in zoning and location and all three are larger than the subject. As a result there are differences in potential uses and thus price paid.

Transactional Adjustments:

1. Property Rights: All the sales were sold in fee, therefore no adjustment is given to the sales.

2. Financing Terms: All of the sales were subject to market financing. There are no adjustments for non-market financing, which would be done by an adjustment for the cash equivalency of the difference between that special (private) financing and market financing.

3. Conditions of Sale: All of the sales are considered to be market sales, therefore, no adjustment is indicated. Conditions of the sale reflect the motivations of the buyer and seller. The adjustment is made when a sale is considered a liquidation, foreclosure, or had some other condition that affected the sale price other than conditions typical to market forces. None of these sellers were known to be under duress.

4. Market Conditions: Over the past three years prices have remained stable in this market segment, limited use land parcel. This stands out as different from the residential market which has had some small appreciation over the past several years. During this time period there has been some general up and down in the market with several submarkets having more or less than average demand. The land market in Buckland and nearby areas has remains very slow with little demand and thus few sales.

Property Adjustments: Property adjustments include: location, physical characteristics, economic characteristics, land use and zoning factors, and non-realty components. Because of the very few sales in this market segment I have addressed these factors in a relative comparison analysis.

For Lot 1, the north lot, I have concluded below sale 1 and above sales 2 and 3 on a per acre basis. Lot 1 has greater present use value and potential than the subject while sales 2 and 3 are much larger and thus a scale adjustment is considered appropriate. The conclusion is between sales 1 and 2 at \$1,263 and \$1,718 per acre and sale 1 which sold at \$5,263 per acre.

Lot 1: .73 acres x \$4,352 = \$3,177 round to \$3,200

The second lot is mostly open but it has the drainage swale and wetlands on site and is a grassed area without the gravel cover as on lot 1. It seems to be less useable than the first lot which with the gravel cover is more easily used for on site storage. I have considered it above lots 2 and 3 adjusted for the size differential as follows:

Lot 2: 1.58 acres x \$3,440 = \$5,435 round to \$5,400

I have rounded the final value to the nearest one hundred dollars which is the range of the accuracy of the conclusion.

B. Cost of Development Approach

The subject lots are too small to use a cost of development approach. This is where sell out as building lots create income and that is balanced against development costs, including both soft and hard costs plus discounts for absorption which is time to sell the lots. The combination of income and expenses which are then discounted to a present value give an indication of value.

C. The Cost Approach

The subject is raw land and as such a cost analysis is not appropriate.

D. The Income Capitalization Approach

The income capitalization approach requires that an income stream be forecast for the property, with expenses deducted and then the resulting net operating income being capitalized into an opinion of value. Usually the higher the net income, the higher the value. Value is arrived at using the formula $V = I / R$, where V is the value, I is the net operating income before income taxes or debt service, and R is the overall capitalization rate. Income, expenses and the capitalization rate used in the calculation are to be market based. The capitalization rate is extracted by one of several methods that are intended to result in a market based rate. The subject as raw land with no income and has no potential for income. Parcels of this type are seldom leased in this market. As a result there is no market data to support development of this approach.

E. Interpretation and Correlation of Estimates:

Sales Comparison Approach

Lot 1: .73 acres - \$3,200

Lot 2: 1.58 acres - \$5,400

The subject is a limited use parcel used now for some on site storage uses but with wetlands, and only a ROW access. As such I've compared it to other "limited use" land sales. While each sale and the subject have some unique features over all I've considered the subject value between the range of the sales prices on a per acre basis.

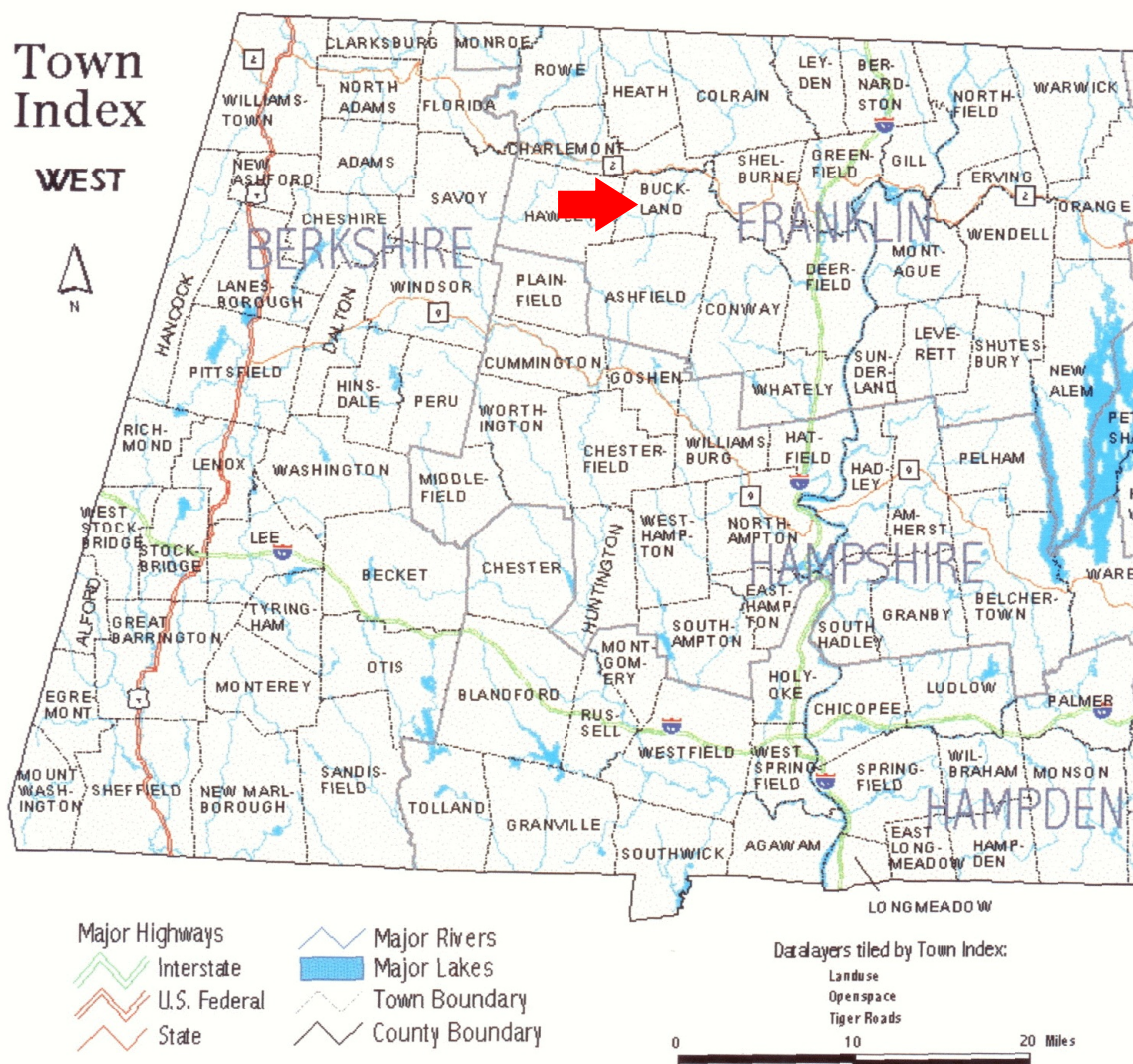
ADDENDA

CONTINGENT AND LIMITING CONDITIONS

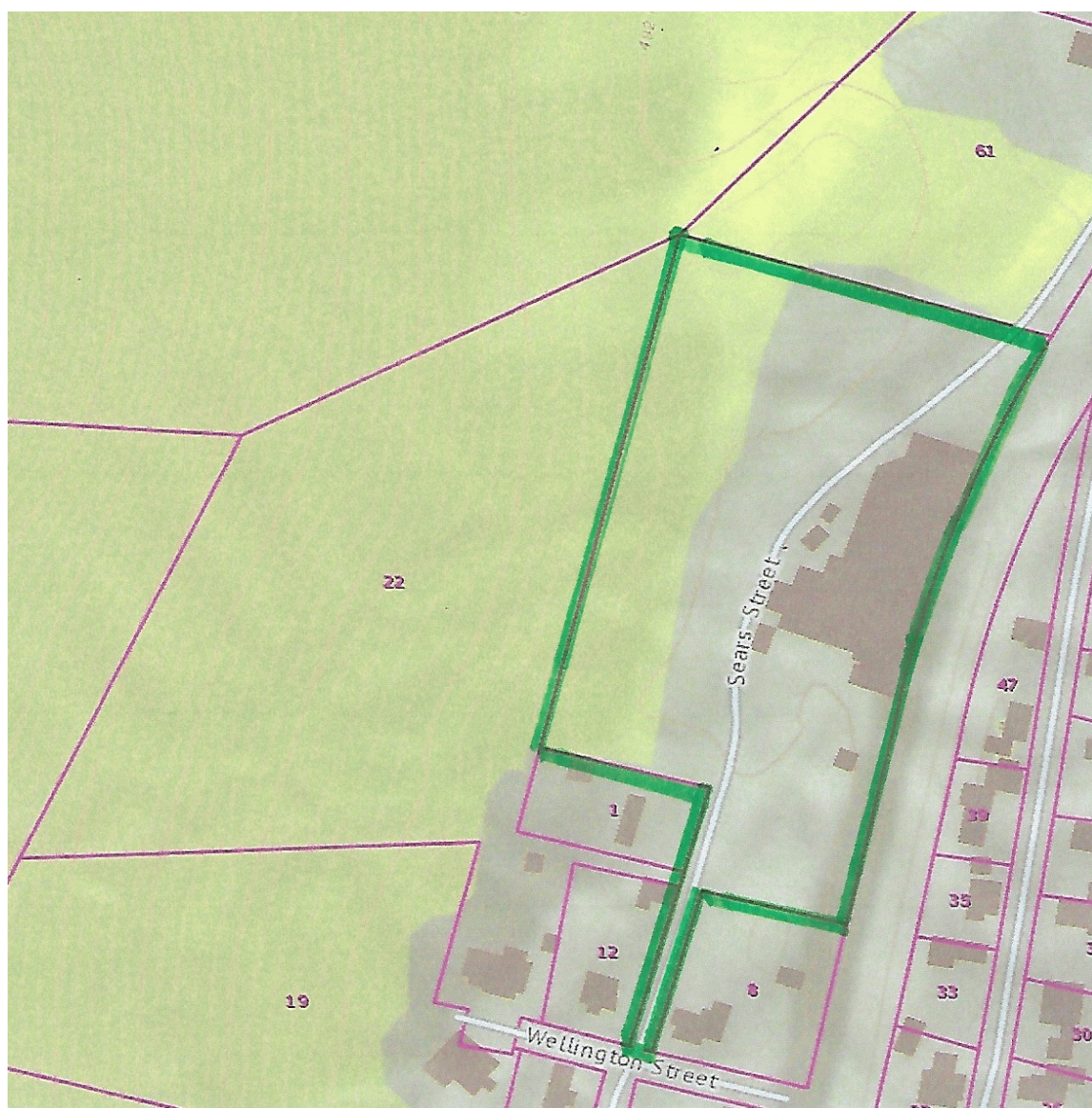
The certification of the appraiser appearing in the appraisal report is subject to the following conditions and to other specific and limiting conditions as are set forth by the appraiser in the report.

1. The appraiser assumes no responsibility for matters of a legal nature affecting the property appraised or the title thereto, nor does the appraiser render any opinion as to the title, which is assumed to be marketable. The property is appraised as though under responsible ownership.
2. Any sketch in the report may show approximate dimensions and is included to assist the reader in visualizing the property. The appraiser has made no survey of the property.
3. The appraiser is not required to give testimony or to appear in court because of having made the appraisal with reference to the property in question, unless arrangements have been made therefore.
4. Any distribution of the valuation in the report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.
5. The appraiser assumes that there are no hidden or unapparent conditions of the property, subsoil, or structures which could render it more or less valuable. The appraiser assumes no responsibility for such conditions or for engineering which might be required to discover such factors.
6. Information, estimates and opinions furnished to the appraiser, and contained in this report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished to the appraiser can be assumed by the appraiser.
7. Disclosure of the contents of the appraisal report is governed by the Bylaws and Regulations of the professional appraisal organizations with which the appraiser is affiliated.
8. Neither all, nor any part of the contents of this report, or any copy thereof (including conclusions as to property value, the identity of the appraiser, professional designations, reference to any professional appraisal organizations, or the firm with which the appraiser is connected) shall be used for any purposes by anyone but the client specified in the report, the borrower if an appraisal fee is paid by the same, the mortgagee or its successors and assigns, mortgage insurers, consultants, professional appraisal organizations, any state or federally approved financial institution, any department, agency, instrumentality of the United States or any state or the District of Columbia, without the previous written consent of the appraiser; nor shall it be conveyed by anyone to the public through advertising, public relations, news, sales or other media without the written consent and approval of the appraiser.
9. On all appraisals subject to satisfactory completion, repairs or alterations, the appraisal report and value conclusion are contingent upon completion of the improvements in a workmanlike manner. This is a prospective value opinion. The appraiser cannot be held responsible for unforeseeable events that alter market conditions prior to the effective date of the appraisal.
10. The final opinion of value reached in this appraisal is based on the assumption that the subject property conforms to all regulations under Massachusetts Statute C.21E, the Massachusetts Oil and Hazardous Material Release Prevention and Response Act. Determination of this conformance, based on a qualified environmental report, was not provided to the appraiser.
11. The forecasts or projections included in this report are used to assist in the valuation process and are based on current market conditions, anticipated short-term supply and demand factors, and a continued stable economy. These forecasts are, therefore, subject to changes in future conditions which cannot be accurately predicted by the appraiser and could affect the future income and/or value forecasts.

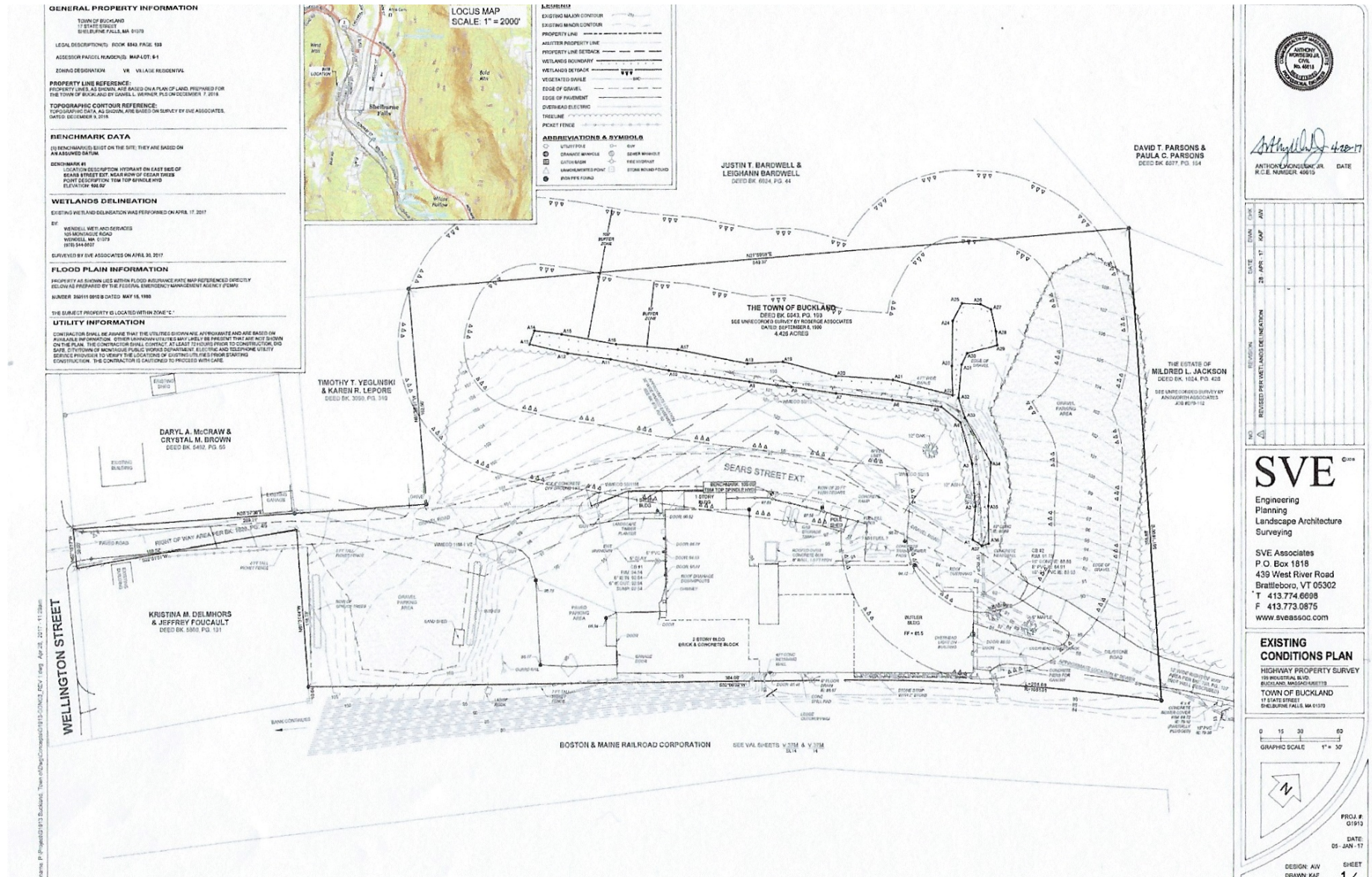
LOCATION MAP - BUCKLAND, MA



GIS MAP WITH ASSESSOR MAP OVERLAY



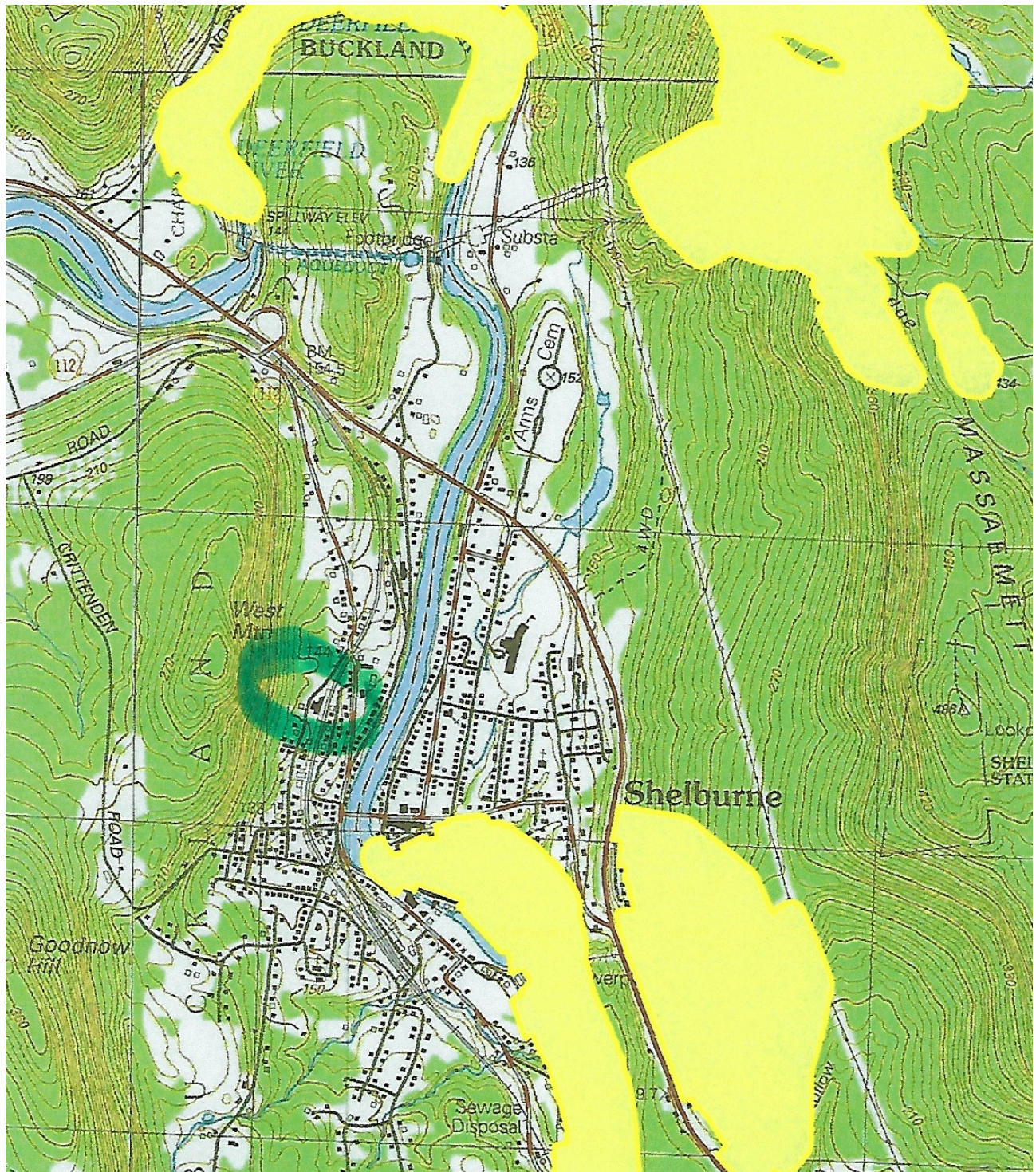
SITE MAP FROM SVE



PROJECT MAP



PRIORITY HABITAT MAP



LEGAL DESCRIPTION BOOK 6843 PAGE 193 - F.C.R.D.

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that **MAYHEW STEEL PRODUCTS INC.**, a Massachusetts corporation with a principal place of business located at 199 Industrial Boulevard, Turner Falls, Massachusetts (the "Grantor"),

for consideration of **THREE HUNDRED TWENTY FIVE THOUSAND and 00/100 (\$325,000.00) DOLLARS**,

grants to the **TOWN OF BUCKLAND**, a municipality within the Commonwealth of Massachusetts, with a principal place of business located at Buckland Town Hall, 17 State Street, Buckland, Massachusetts (the "Grantee"),

with QUITCLAIM COVENANTS

A certain parcel of land with buildings thereon situated in said Buckland bounded and described as follows:

Commencing at an iron pin on the northerly side of Wellington Street, which iron pin is 87 feet easterly of an iron pin, marking the southwest corner of premises conveyed to Richard and Marie H. Hannon by deed of Jennie S. Oxley dated August 30, 1948, and recorded in Franklin Registry of Deeds, Book 924, Page 94;

thence northerly along land of said Richard and Marie H. Hannon a distance of 167.7 feet to an iron pin;

thence northerly with an interior angle of $92^{\circ} 21'$ a distance of 100 feet to an iron pin;

thence westerly with an interior angle of $87^{\circ} 41'$ a distance of 165.6 feet, more or less, to an iron pin at land now or formerly of one Carlson;

thence northerly 548 feet, more or less, to an iron pin which marks the northwesterly corner of the within described premises;

1286006

thence easterly with an interior angle of $89^{\circ} 50'$ along land formerly of Luther Smith a distance of 355.4 feet, more or less, to land of the Boston & Maine Railroad;

thence southerly along the westerly line of land of the Boston & Maine Railroad a distance of 653.2 feet, more or less, to land formerly of George A. McKnight;

thence westerly with an interior angle of $93^{\circ} 52'$ a distance of 118.8 feet, more or less, to an iron pin;

thence southerly with an interior angle of $84^{\circ} 16'$ a distance of 168.5 feet, more or less, along land formerly of said George W. McKnight to an iron pin in the northerly line of Wellington Street;

thence westerly along the northerly line of Wellington Street a distance of 30 feet to the place of beginning.

Together with a right of way to pass and repass on foot and with vehicles upon and over a parcel of land 12 feet in width running northerly from the northeast corner of the above described premises, said right of way being bounded and described as follows;

Beginning at a point at the northeast corner of the above described tract;

thence northerly on the westerly line of the Boston & Maine Railroad 152 feet;

thence north 27° east 108 feet;

thence north $72^{\circ} 0'$ east 60 feet to the southerly line of the highway known as North Street;

thence turning an interior angle to the left of 90° and running along the south line of North Street 12 feet;

thence south $72^{\circ} 0'$ west 60 feet;

thence south $27^{\circ} 0'$ west 108 feet;

thence southerly parallel to the first described course and 12 feet distant therefrom 152 feet, more or less, to the northerly line of the premises hereinabove described.

The above described right of way is subject to the rights of others as reserved in deed from Luther E. Smith to Goodell Pratt Company by deed dated June 10, 1925, recorded in the Franklin Registry of Deeds, Book 723, Page 127.

The twelve feet to the westerly of the next to last course in the above described tract of land (said course being described as follows;

Thence southerly with an interior angle of 84° 16' a distance of 168.5 feet along land formerly of said McKnight to an iron pin at the northerly line of Wellington Street) is subject to a right of way easement as conveyed by Goodell Pratt Company to Jennie S. Carlson by deed dated April 18, 1925, recorded in said Registry, Book 713, Page 283.

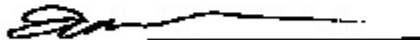
The premises are subject to a pole line easement granted by Charles W. Ward to Western Massachusetts Electric Company and Western New England Telephone Company by instrument dated August 15, 1944, recorded in said Registry, Book 875, Page 50.

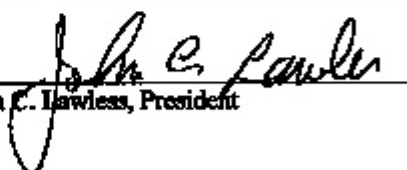
THIS CONVEYANCE DOES NOT CONSTITUTE A SALE OF ALL OR SUBSTANTIALLY ALL OF THE ASSETS OF THE GRANTOR CORPORATION.

Being the same premises conveyed herein by deed of Helen W. Pease under the will of Charles W. Ward dated September 22, 1964 and recorded in the Franklin County Registry of Deeds, Book 1172, Page 258, and deed of Helen Ward Pease (formerly Helen I. Ward), Gerald W. Ward, and Douglas A. Ward dated August 31, 1964 and recorded in the Franklin County Registry of Deeds, Book 1172, Page 255.

WITNESS my hand and seal this 14 day of April, 2016.

MAYHEW STEEL PRODUCTS, INC.


Witness

By: 
John C. Lawless, President

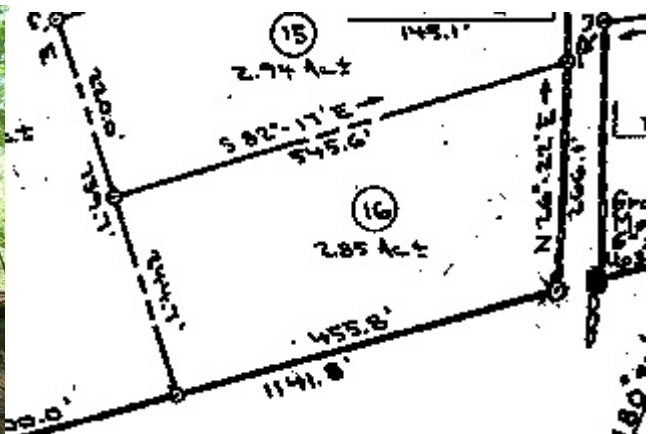
COMMONWEALTH OF MASSACHUSETTS

Hampden County

On this 14 day of April 2016, before me, the undersigned notary public, personally appeared John C. Lawless as President of Mayhew Steel Products, Inc. and proved to me through satisfactory evidence of identification, which was ~~August 14~~ I.D., to be the person whose name is signed on this document, and acknowledged to me that he signed it voluntarily for its stated purpose on behalf of and as the free deed and act of said corporation.

Sale 1 - Lot 16 Wren Gould Road, Wendell, MA

Grantor: Woodrow L. Cutler and Patricia J. Cutler of Montague, MA
Grantee: Richard Wilder and Michelle Perkins of Wendell, MA
Sale Date: 6/5/2015
Confirmation/Verification: MLS With the broker, MLS and public records
Buyer motivation: Recreational lot
Location: Rural area abutting woodlands
Size: 2.85 acres, with 266' of frontage
Deed Reference: Franklin County Registry of Deeds Book 6773 page 212 by Quitclaim Deed And the Previous transfer was more than five years ago
Property rights conveyed: Fee Simple
Marketing Time: Listed in the MLS for days with a list price of \$24,900 after being dropped from \$49,900. On the market for 992 days
Consideration/ Sale Price: \$15,000 (\$5,263/Ac) Sales Concessions: None
Financing: Market Conv. Cash
Improvements: None
Physical description: This property is a woodland parcel. It was originally listed as a building lot but the list price was dropped to reflect its actual value. It had been logged heavily.
Non-Realty items: None
Economic characteristics: This is a rural area off a dirt road with no utilities near by. The broker advertized it "use as a recreational lot."
Zoned: This is a rural area with residential and agricultural uses allowed.
Current use Woodland
Topographic map/sale plan Map 41 lot 409.assessors map
Photographs - Sale - MLS # 71738106 - Lot 16 Plan Book 48 page 57:



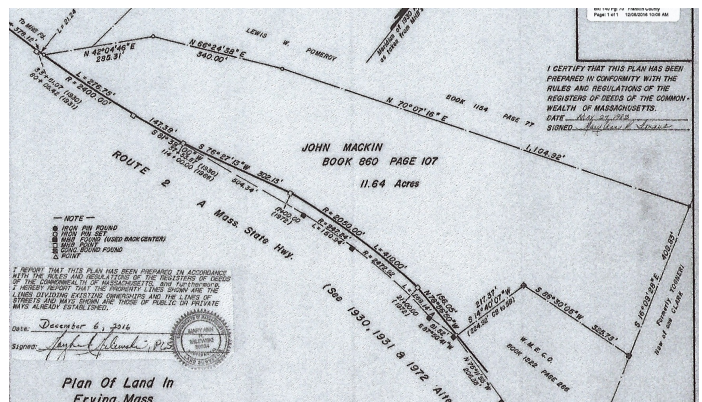
Sale 2 - Main Road, Colrain, MA

Grantor: Colrain Realty Trust, James Evans trustee
Grantee: Keith Harmon-Snow
Sale Date: 6/2/2016
Confirmation/Verification: With the broker, MLS and public records
Buyer motivation: Recreational parcel
Location: Rural area along a commuter route
Size: 3.8 acres, with 800' of river frontage
Deed Reference: Franklin County Registry of Deeds Book 6863 page 130 by Quitclaim Deed
Previous transfer was more than five years ago
Property rights conveyed: Fee Simple
Marketing Time: Listed in the MLS for days with a list price of \$10,000 on the market for 394 days
Consideration/ Sale Price: \$4,800 (\$1,263/Ac) Sales Concessions: None
Financing: Market Conv. Cash
Improvements: None
Physical description: This mostly wooded parcel between the road and the river. It slopes off at a moderate degree down to the river frontage. The broker had advertised it as "great for fishing." There is not public water or sewer to this location.
Non-Realty items: None
Economic characteristics: Single recreational lot
Zoning: This is a rural and residential area which permits a wide variety of agricultural/woodland and residential uses
Current use: Woodland
Topographic map/sale plan: Map 415 lot 5 assessors map
Photographs - Sale - MLS #71820714



Sale 3 - French King Highway, Gill, MA

Grantor: Timothy P. Mackin, Trustee, of the John J. Mackin Revocable Trust
Grantee: Stuart Heinrich of Pepperell, MA
Sale Date: 12/7/2016
Confirmation/Verification: With the broker, MLS and public records
Buyer motivation: Recreational parcel
Location: French King Highway, a/k/a Route 2 and Route 2A, Erving, MA
Size: 11.64 acres, with almost all woodlands
Deed Reference: Franklin County Registry of Deeds Book 6961 page 158 by Quitclaim Deed with the previous transfer being in 1983.
Property rights conveyed: Fee Simple
Marketing Time: Listed in the MLS for 1210 days with a list price of \$20,000
Consideration/ Sale Price: \$20,000 (\$1,718/Ac) Sales Concessions: None
Financing: Market Conv. Cash
Improvements: None
Physical description: This property is an a rural location surrounded by other woodlands parcels with a high tension line nearby. This is mostly south facing, and is a corner lot at the intersection of the south end of Old State Road and the French King Highway. It is a mix of hardwood growth. There are large areas with rock outcroppings and ledge. The forest reportedly was logged heavily about 15-20 years ago.
Non-Realty items: None
Economic characteristics: Limited use parcel with some woodland or recreation use value. There is no town or public water, sewer or gas at the street.
Zoning: No minimum size, and 30' frontage requirement and 30' front yard, 15' side yard and 15' rear yard setbacks. This is a mixed use area with single and small multi family across the street
Current use vacant woodland
Topographic map/sale plan Map 4 lot 1 assessors map
Photographs - Sale - MLS #71691007 - Plan Book 140 page 70:



QUALIFICATIONS – KIM A. LEVITCH, SRA

MA Certified General Real Estate Appraiser, lic #258, Exp. 12/05/19

Owner: K. Levitch Associates, 40 School Street, Greenfield, MA 01301

Professional Designations:

SRA - The Appraisal Institute, Chicago, Ill.

GRI - Graduate Realtors Institute, National Association of Realtors

Education: General - Ohio University, Athens, Ohio - BGS 1971

Real Estate: Completed course work for the SRA designation which was awarded in 2008

Completed advanced commercial course work from the Appraisal Institute including but not limited to the following since 2000:

National USPAP Update Course, Appraisal Institute, 2012

The Discounted Cash Flow Mode: Concepts, Issues, and Apps., Appraisal Institute, 2011

Introduction of Valuing Commercial Green Buildings, Appraisal Institute, 2011

Analyzing Tenant Credit Risk and Commercial Lease Analysis, Appraisal Institute, 2011

Real Estate Appraisal and Right of Way, Appraisal Institute, 2010

General Appraiser Income Approach, Part II, Appraisal Institute, 2010

Advanced Sales Comparison & Cost Approaches, Appraisal Institute, 2008

Advanced Residential Applications & Case Studies, Pt 1 and 2, Appraisal Institute, 2007

Highest & Best Use Analysis and Market Analysis, 520 Appraisal Institute, 2006

Yellow Book Seminar, Federal Land Acquisitions, 2004

Supporting Capitalization Rates, Appraisal Institute, 2004

Regression Analysis in Appraisal Practice, Appraisal Institute, 2003

Standards of Professional Practice, Course 430, Appraisal Institute, 2001

Highest and Best Use Analysis, Appraisal Institute, 2001

Real Estate Experience: 1979 - Present K. Levitch Associates

Assignments includes a range from residential to commercial, industrial, land and a variety of special use properties. Clients include lending institutions, property owners, and attorneys. Appraisals have been completed for a number of cities and towns, state and federal agencies including MA Highway, DCAM, the FAA, The Department of Agricultural Resources, Division of Fisheries and Wildlife. Differing ownerships have been considered including fee simple, leased fee, leasehold estates, life estates, agricultural preservation restrictions, conservation restrictions, and utility easements as well as other partial interests, and low income housing projects subject to rent restrictions.

Instructor Greenfield Community College: - Real estate courses from 1985 to 1989

Professional Associations and Affiliations

Franklin County Chamber of Commerce, Board of Directors 1996-present

Shelburne Housing Authority, Chairman of the Board, member - 2000-present

Franklin Council of Governments Brownfields Advisory Committee 2004- present

Qualified Witness:

Superior Court, Hampshire- Franklin Counties

MA Appellate Tax Court

Federal Bankruptcy Court, Worcester, MA

Federal District Court, Boston, MA

Family and Probate Court, Franklin, Worcester Counties

Northfield Mount Hermon School, Northfield Deerfield Academy, Deerfield, MA
Bement School, Deerfield, MA Stoneleigh Burnham School, Greenfield, MA
Northfield Mt. Herman School, Northfield, MA The Academy at Charlemont, Charlemont, MA
The University of Massachusetts, Amherst, MA Hampshire College, Amherst, MA
Farren Memorial Hospital, Montague, MA Franklin Medical Center, Greenfield, MA
Franklin Land Trust, Shelburne, MA Mt. Grace Land Conservation Trust, Athol, MA
Rattlesnake Gutter Land Trust, Leverett, MA YMCA, Greenfield, MA

Government Agencies:

US Fish and Wildlife Service, Regional Office
Franklin County Regional Housing Authority, Greenfield, MA
Franklin County Development Corporation, Greenfield, MA
Massachusetts Land Bank
Massachusetts Highway Department
Department of Environmental Management, Comm. of MA
Department of Fisheries and Wildlife Management, Comm. of MA
Massachusetts Department of Capital Asset Management, Boston, MA
Massachusetts Housing Partnership, Boston, MA
Towns & Cities: Amherst, Athol, Ashfield, Bernardston, Buckland, Belchertown, Conway, Colrain, Deerfield,
Erving, Greenfield, Gill, Heath, Deerfield, Leverett, Montague, Monroe, Northampton, Northfield, Orange,
Pittsfield, Shelburne, Shutesbury, Sunderland, Whately, Wendell

**Buckland Select Board
Meeting Minutes
December 13, 2022 5:00 p.m.
Buckland Town Hall**

Listing of Topics

5:00 p.m.- Executive Session Session under provision of MGL c. 30A, Sec. 21(a)
- Exp 1.

Appointments

5:30 p.m. - Buckland Historic Commission, David Parrella
5:45 p.m. - Verizon Pole Hearing
6:00 p.m. - FRCOG, Direct Local Technical Assistance, Jessica Atwood

Agenda Items

- > Committee Appointments: Ad Hoc Bike Park Committee
- > Police Shared Service IMA update

Documents to Sign

Contract & Grant Documents

- > 2022 IT Community Compact Grant Award -
- > Transfer Station Inspection Report -

Permits and Licenses

- > 2023 License Renewals -

Retail Package Store for Wine & Malt with Common Victualers:

- a.) Franklin Community Cooperative Corporation, DBA as McCusker's Market, John Williams, Mgr., 3 State Street.
- b.) Amsoni, Inc., DBA Shelburne Falls Neighbors, Aryn Merchant, Mgr., 16 State Street.

Restaurant License for All Alcoholic Beverages with Common Victualers:

- a.) The Blue Rock Restaurant and Bar, Christopher Ramirer as Mgr., 1 Ashfield Street.
- b.) Cafe Martin, LLC DBA West End Pub, Paul St. Martin as Mgr., 16 State Street.
- c.) PJSKI LLC DBA Buckland Pizza House, Apostolos Itsou, Mgr., 13 State Street.

Farmer Brewery Pouring Permit:

Floodwater Brewing Company, LLC DBA Floodwater Brewing Company, Zachary P. Livingston, Mgr., 40 State Street.

Club License with Common Victualer:

The Shelburne Falls Aerie #2758 Fraternal Order of Eagles, Arthur Phillips as Manager, located at 52 State Street.

Minutes - October 11, 2022

Items Not Reasonably Anticipated by Chair 48 Hours in Advance of meeting

Select Board Member Concerns

Town Administrator's Report

Public Comment

Volunteer Recognition

Announcements and Upcoming Meetings

Attendees

Barry Del Castilho - Select Board Chair
 Clinton Phillips - Select Board Vice Chair
 Lawrence Wells Select Board Member
 Heather Butler - Town Administrator
 Mary Bolduc - Boards' Clerk
 Otis Wheeler - Falls Cable
 David Parrella - Historic Commission
 Jessica Atwood - FRCOG
 Whit Sanford
 Brad Walker
 Janet Sinclair

Meeting - Mr. Del Castilho opened the meeting at 5:00 p.m. then recused himself at that time citing a conflict of interest. Mr. Phillips moved to go into executive session under provision of MGL c. 30 A, Sec. 21(a) - Exp 1. Mr. Wells seconded the motion. A roll call vote was taken. Wells, "Aye"; Phillips, "Aye". Motion was approved and the Board moved into executive session. They returned to open session at 6:01 p.m. at which time Mr. Del Castilho joined the Board.

Appointments

5:30 p.m. - *Buckland Historic Commission, David Parrella* - David Parrella read a letter to the Select Board calling attention to the rich mill history in this area citing Elmers's Mill on Cross Street as a specific point of interest. He described the grant process, those applied for, and the projects for which the funds could be used. Mr. Parrella asked if the town could contribute financially or otherwise to the mill restoration project, if not this year, then perhaps another. Following discussion recognizing local manufacturing and economic development history, Mr. Phillips moved to donate \$2500, seconded by Mr. Wells. Vote in favor of the motion was unanimous.

5:45 p.m. - *Verizon Pole Hearing* - Mr. Bonner was present to represent Verizon should there be any questions. There were not. Mr. Phillips moved to grant permission to Verizon New England, Inc. and NSTAR Electric Company d/b/a Eversource Energy to

locate poles, wires, cables, and fixtures, including anchors, guys, and other such sustaining and protecting fixtures to be owned and used in common by the petitioners along and across Howes Road and specifically to place one (1) jointly owned pole numbered T.11/E.11 on the southwest side of Howes Road at a point approximately six hundred and fifteen (615) feet from the center line of Buckland Road for the purpose of distributing intelligence and telecommunication and the transmission of high and low voltage electric current. Mr. Wells seconded the motion and vote in favor was unanimous.

6:00 p.m. - *FRCOG, Direct Local Technical Assistance, Jessica Atwood* - Ms. Atwood handed the Board members a “wish list” of Buckland projects and asked them to prioritize the top three projects for the town. Members will consider the list and share their thoughts with Heather to be discussed at a later meeting.

Agenda Items

> *Committee Appointments: Ad Hoc Bike Park Committee* - Ms. Butler read a prepared statement from Michael McCusker stating the purpose for the proposed ad hoc committee. Following a brief discussion, Mr. Phillips moved to approve the creation of an ad hoc Bike Park Committee to design and oversee the installation of amenities in the bicycle themed pocket park on Conway Street. Mr. Wells seconded, and vote in favor of the motion was unanimous. Mr. Phillips further moved to appoint the following individuals to serve on the committee: Jim Bonham, Kristian Whitsett, Ben Barnhart, Jeremy Coleman, Marie Bartlett, John Ferris, Cindy Fisher, Bruce Lessels, Zach Livingston, and Mike McCusker. Mr. Wells seconded and vote in favor of the motion was unanimous.

> *Police Shared Services IMA update* - Mr. Del Castilho reported that a firmer agreement should be forthcoming in February, and the towns of Buckland and Shelburne will be asked to vote on a final draft at their respective Annual Town Meetings. There will also be a budget component.

Documents to Sign

Contract & Grant Documents

> *2022 IT Community Compact Grant Award* - Ms. Butler explained the technology advantages this would provide. Mr. Phillips moved to accept and sign the 2022 IT Community Compact Grant Award for \$17,500 to improve the technology in the Town Hall meeting spaces to provide a better experience for those viewing meetings virtually. Mr. Wells seconded, and vote in favor of the motion was unanimous.

> *Transfer Station Inspection Report* - Ms. Butler recapped the sections of the report and credited the attendants for keeping the transfer station clean. Mr. Phillips moved to accept and sign the 2022 Transfer Station Inspection Report, seconded by Mr. Wells. Vote in favor of the motion was unanimous.

Permits and Licenses:

Mr. Phillips moved to approve the 2023 Liquor and Common Victualer Licenses as follows:

> 2023 License Renewals -

Retail Package Store for Wine & Malt with Common Victualers:

- a.) Franklin Community Cooperative Corporation, DBA as McCusker's Market, John Williams, Mgr., 3 State Street.
- b.) Amsoni, Inc., DBA Shelburne Falls Neighbors, Aryn Merchant, Mgr., 16 State Street.

Restaurant License for All Alcoholic Beverages with Common Victualers:

- a.) The Blue Rock Restaurant and Bar, Christopher Ramirer as Mgr., 1 Ashfield Street.
- b.) Cafe Martin, LLC DBA West End Pub, Paul St. Martin as Mgr., 16 State Street.
- c.) PJSKI LLC DBA Buckland Pizza House, Apostolos Itsou, Mgr., 13 State Street.

Farmer Brewery Pouring Permit:

Floodwater Brewing Company, LLC DBA Floodwater Brewing Company, Zachary P. Livingston, Mgr., 40 State Street.

Club License with Common Victualer:

The Shelburne Falls Aerie #2758 Fraternal Order of Eagles, Arthur Phillips as Manager, located at 52 State Street.

Mr. Wells seconded the motion, and vote in favor was unanimous.

Minutes - October 11, 2022 - Mr. Phillips moved to accept as written, seconded by Mr. Wells. Vote in favor of the motion was unanimous.

Items Not Reasonably Anticipated by Chair 48 Hours in Advance of meeting -

Regarding the proposed letter to property owners as a Tax Bill Insert, Mr. Phillips moved to add it to the tax bills seconded by Mr. Wells. Vote in favor of the motion was unanimous.

Select Board Member Concerns - There were no concerns expressed at this meeting.

Town Administrator's Report -

> Salt Shed - Driver from Morton Salt backed into salt shed doing damage, though it is still structurally sound. Should we file insurance claim? Was hoping to use old Mayhew building for new salt shed but that is not an option. Getting quotes to at least support the doors on old shed, address cat walk, and will explore other avenues for new shed.

> North Street - Because of sidewalk and bike path requirements and the impact they would have on upper North Street, Ms. Butler decided not to pursue the project. DOT then came out and, after walking the route, determined that mimicking the lower end of North Street is a reasonable solution. There will be a slight road re-alignment, but the new design will have minimal impact.

> Cricket Field. - Regarding person living in the pavilion, the police have been doing wellness checks and initiated outreach services which the person refused. There is no legal remedy. He has found alternate housing for the winter and moved out of the pavilion today. Ms. Butler would like to ask town counsel for a bylaw for Annual Town Meeting should we need it in the future.

> Swimming Pool - There is progress being made on the pool house and the electrical component of the project. The project overall is on track and is being well managed.

Public Comment - Janet Sinclair addressed the Board about her continued concerns regarding the impacts of plowing along the section of Charlemont Road abutting her property, specifically citing wetlands issues.

Brad Walker, new owner of The Mill property (Lamson) on Conway Street, introduced himself to the Board, and presented his plans for developing the waterfront area the complex for river access/hiking paths/picnic areas/recreational opportunities.

Volunteer Recognition - Kudos to the Highway Crew; though not volunteers, their efforts are appreciated especially with winter weather. And many thanks to all those who shovel to keep walks clean and safe not only for themselves but for others.

Announcements and Upcoming Meetings - Select Board will meet on January 10 and 24, 2023, and tentatively there will be a second Shared Police Services meeting on February 23, 2023. Ashfield is hosting an event on Saturday, December 17, 2022 from 1-3 p.m. at Belding Memorial Library to meet Senator-elect Paul Mark.

With no further business, Mr. Phillips moved to adjourn, seconded by Mr. Wells. Vote in favor of the motion was unanimous. Meeting adjourned at 7:39 p.m.

Respectfully Submitted by Mary Bolduc, Boards' Clerk, February 14, 2023

Signed:

Barry Del Castilho_____

Clinton Phillips_____

Lawrence Wells_____

**Buckland Select Board
Meeting Minutes
January 24, 2023 5:00 p.m.
Buckland Town Hall**

Listing of Topics

5:00 p.m. Executive Session - Under the provisions of M.G.L. C.30A, Sec. 21(a) Exp. 2

Appointments

5:30 p.m. State Representative Natalie Blais

6:00 p.m. Public Hearing FY22-23 CDBG Application

Agenda Items

- > Request for Determination - Financial Disclosure of Non-Elected Municipal Official -
- > DLTA Request Form
- > Annual Town Meeting
- > FY24 Budget COLA, employee and retiree commitments -
- > Appointments - Special Municipal Employee designation for Franklin County Solid Waste District representatives

Documents to Sign

Contract & Grant Documents -

- > Letter of Support, Cultural Facilities Fund Grant for Memorial Hall Shelburne -

Permits & Licenses -

- > Liquor License Amendment Application: Pledge of License, Amsoni, Inc.

Minutes - November 29, 2022 and January 10, 2023

Items Not Reasonably Anticipated by Chair 48 Hours in Advance of Meeting

Select Board Member Concerns

Town Administrator's Report

Public Comment

Volunteer Recognition

Announcements & Upcoming Meetings

Attendees

Barry Del Castilho - Select Board Chair

Clinton Phillips - Select Board Vice-chair

Lawrence Wells - Select Board Member
 Heather Butler - Town Administrator
 Dana McNay - Falls Cable
 Mary Bolduc - Boards' Clerk
 Natalie Blais - State Representative
 Carmela Lanza-Weil
 Martin Yaffee
 Deborah Yaffee
 Marilyn Kelsey
 John Gould
 Michael Hoberman
 Linda Overing
 Michael Carter
 Sam Bartlett
 Christie Moore
 Janna Tetreault
 Nina Hrebenko
 Jacob Hanson

Meeting

Mr. Del Castilho called the meeting to order at 5:00 p.m. Mr. Phillips moved to go into Executive Session under the provision of M. G. L. c. 30A, Sec. 21 (a) Exp. 2. Mr. Wells seconded and a roll call vote was taken. Vote: Phillips, Aye; Wells, Aye; Del Castilho, Aye. Vote in favor of motion was unanimous. Board moved into executive session, and returned to open session at 5: 31 p.m.

Appointments

5:30 p.m. State Representative Natalie Blais - Rep. Blais provided Board members handouts on legislative initiatives, one focused on rural schools. She recognized the needs and struggles of rural communities, and welcomed questions/ comments from the Board. Mr. Del Castilho asked if the house budget will be delayed due to the governor's budget, stated that he is pushing MMA for school aid, and discussed the legislative process relative to school funding with Rep. Blais. She also addressed rural roads and Winter Road Recovery.

6:00 p.m. Public Hearing FY22-23 CDBG Application - Linda Overing opened by stating that this is a required public hearing for infrastructure improvements at the freight yard, Depot Street, and continued support of the food pantry. She then introduced Jenna Tetreault of Community Action to report on the Food Pantry. Jenna reported on the number of Buckland residents availing themselves of the Food Pantry services, the amount of food distributed in terms of pounds, numbers of deliveries to households, and the numbers associated with the pick up sites available to Buckland residents. She also quoted projections for 2023-34 use. She answered questions from the Board and thanked them for their support.

Mike Carter of GCG Associates handed out the final draft for proposed improvements on the Depot Street/Freight Yard project and gave a brief overview, noting the requests/suggestions made at the last forum. Mr. Phillips thanked him for “hitting it out of the park” by taking the feedback from the last meeting and incorporating it into the final draft. Mr. Wells and Mr. Del Castilho echoed his remarks.

Comments and questions included but were not limited to:

- > Q - Are there plans for beautification? A - Plants cannot be put on railroad property,
- > Q - Estimated time to finish? A - Put out to bid in winter of 2024. Project done in spring of 2024.
- > Q - What about storm water drainage? A- Mike Carter addressed, calling attention to map.
- > Q - Are you aware of problems with EV chargers starting fires? A hazard on RR crossing. Just an FYI.
- > Q - No way for handicap parking in front of Blue Rock? A - Mike Carter responded that it is not possible because of pitch of topography; would not fit specifications for handicap parking.
- > Q - Reiterated request for no buses. See a bus parking space. A - Mr. Phillips pointed out, that space implies “this is where we want you to park”, otherwise they will access multiple car spaces.
- > Q - First, thank you to Mr. Carter for a fantastic job. Appreciates Mr. Phillips comments on buses, but one is a visual suggestion for more. Suggests buses park in park & ride, church parking lots, perhaps the Sweetheart, or pay to park? A - Ms. Butler responded that CDBG grant applications have to check a lot of boxes, reference past studies, and bus parking is recommended in all of them. It makes the application weaker if not addressed. Linda Overing agreed with and expanded upon Ms. Butler’s answer.
- > Public Comment - Buses don’t add to the economy, followed by discussion.
- Q - How long do buses take to charge? What about amenities like trash cans? Pet waste? Linda responded that those items are not grant eligible.
- Q - Are things pitched toward the catch basin and is there a curb along parking? A - Mike Carter addressed both.
- > Public Comment - There need to be signage directing people/traffic “To Downtown”.

Each question and/or comment generated further discussion, the most highly debated being buses. Concern was voiced again over idling buses and it was noted that it is not allowed under state law. Also, there are incentive programs for private buses to go EV and the parking layout will allow for a charger for the bus. As requested in previous forums, the plan did not include public restrooms. Overall, the final draft was well received. Persons participating in discussion were Carmela Lanza Weil, Lynn Kelsey, Christy Moore, Sam Bartlett, and Deborah Yaffee.

At the end of the discussion, Linda Overing recapped the budget.

To be voted on in one vote: Mr. Phillips moved to submit the FY22/23 CDBG application for Depot Street and Freight Yard Parking Lot Improvements and Food Pantry

Assistance. Mr. Phillips further moved to authorize the Chairperson to sign all related documents; and to designate Heather Butler, Town Administrator, as Environmental Certifying Officer for the Town of Buckland. Mr. Wells seconded the motions, and vote in favor was unanimous.

Agenda Items

> Request for Determination - Financial Disclosure of Non-Elected Municipal Official - Planning Board Co-chair Michael Hoberman submitted a Financial Disclosure of Non-Elected Municipal Official and was present to discuss whether his financial interest would interfere with the discussions being held by the Planning Board with regards to a zoning bylaw amendment for short term rentals. If the Board approved the waiver, Mr. Hoberman could continue to participate in the process. If the Board did not approve the waiver, Mr. Hoberman would be required to abstain from the process.

Mr. Hoberman stated his wife runs an Air BNB which may bring in up to \$10,000/year. He further stated that he felt he could be objective/unbiased in his Planning Board deliberations and that by coming forward he was being transparent, that the town would know the process was being conducted fairly. He also called attention to the burden his absence would place on the remaining Planning Board members.

Mr. Del Castilho stated he had mixed feelings. Mr. Wells recognized Mr. Hoberman's service to the town. Mr. Phillips stated he chose to err on the side of caution. Discussion followed involving Mr. Hoberman and Board members. Mr. Del Castilho moved that the financial interest, as disclosed, is substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee.. Mr. Wells seconded the motion. Vote in favor of motion: Wells, yes; Phillips, yes; Del Castilho, no. Motion carried by a vote of 2:1.

> DLTA Request Form - Mr. Del Castilho noted his thoughts and preferences, and John Gould of the Planning Board asked if Ms. Butler had received his message requesting continued assistance with the short-term rental bylaw process and other zoning recommendations. It was noted that this form was not to be used for shared police services purposes. Ms. Butler told Board members to send any other preferences/recommendations to her attention. No motion/action was taken on this agenda item.

> Annual Town Meeting - Because there was no desire stated to move the date of Town Meeting from May 6th, no motion/action was necessary.

> FY24 Budget COLA, employee and retiree commitments - Ms. Butler informed the Board of the following, followed by discussion:

Regarding employees, the current FY24 operating budget draft is modeled at a 3.5 increase which is the same percentage offered by Shelburne but potentially higher than the state average. The Town is also participating in a wage and compensation study to review the job descriptions and salary ranges for Town of Buckland employees. Should that study be complete in time for FY24 budget deliberations and there is a need to revisit COLA to consider other adjustments we can, and should, revisit.

Regarding retirees, documents provided by the FRRS provide an overview of the impact to the Town's future assessment, starting in FY26 if the Town votes to approve an additional 2% COLA for retirees. The Finance Committee has been asked to make a recommendation.

During discussion Mr. Del Castilho noted that although a municipal retiree, he is not a retiree of this Town, thus no conflict.

No action was taken at this time.

> Appointments - Special Municipal Employee designation for Franklin County Solid Waste District representatives - Jan Ameen, Director of the Solid Waste Management District has requested that each participating town appoint its representatives as Special Municipal employees, and once voted, the positions will be added to the list of special municipal employees on file in the Town Clerk's office and filed with the State Ethic's Commission. There was a brief discussion.

Mr. Phillips moved that the Select Board designate the position of Franklin County Solid Waste Management District representative as a special municipal employee position for the Town pursuant to M. G. L. c. 268A, section 1(n). Mr. Wells seconded and vote in favor of the motion was unanimous.

Mr. Phillips moved that the Select Board designate the position of Franklin County Solid Waste Management District Alternate representative as a special municipal employee for the town pursuant to M. G. L. c. 268A, section 1(n). Mr. Wells seconded and vote in favor of the motion was unanimous.

Documents to Sign

Contract & Grant Documents -

> Letter of Support, Cultural Facilities Fund Grant for Memorial Hall Shelburne - Carmela Lanza-Weil was present to discuss a grant opportunity for the restoration of Memorial Hall in Shelburne and request a letter of support for the application. Mr. Phillips moved to sign a letter of support to the Massachusetts Cultural Council for a grant to provide funding for the restoration of Memorial Hall in Shelburne. Mr. Wells seconded the motion and vote in favor was unanimous.

Permits & Licenses -

> Liquor License Amendment Application: Pledge of License, Amsoni, Inc. - Amsoni Inc., Buckland Neighbors, had requested the Pledge of their Liquor License

which they are eligible for due to their license being in good standing. Mr. Phillips moved to approve the application for the Pledge of Liquor License held by Amsoni, inc. and authorize the Chair to sign the application to be submitted to the Massachusetts Alcohol Beverage Control Commission. Mr. Wells seconded the motion, and vote in favor was unanimous.

Minutes -

> November 29, 2022 and January 10, 2023 - Mr. Phillips moved to approve both sets of minutes as written, seconded by Mr. Wells. Vote in favor of the motion was unanimous.

Items Not Reasonably Anticipated by Chair 48 Hours in Advance of Meeting -

There were no unanticipated items.

Select Board Member Concerns - Mr. Del Castilho stated that since the final administrative structure for the Senior Center will not be completed for the 2023 Annual Town Meeting, he suggested two delegates from each member town be appointed to work with the administrative team. He proposed a Select Board member and a delegate from the Council on Aging. Due to Mr. Del Castilho's extensive participation in the Senior Center project, and Ellen Eller's as a COA member, Mr. Phillips moved to appoint them as Buckland's delegates. Mr. Wells seconded and vote in favor of the motion was unanimous.

Town Administrator's Report -

- > The Historical Society did not receive the original grant for which they applied (mill restoration), but have applied for another for the same purpose. The \$2500 appropriated for them will be applied to that grant instead.
- > Problems have been reported with winter sidewalks. There is a new person in facilities this year and understandably there is a learning curve. He is a one man show, so Ms. Butler asks that people be patient.
- > Regarding shared policing, Chief Bardwell and the Collins Center have met to iron out specifics on the budget. There is a meeting with Shelburne on February 1st, and Chief Bardwell presented scenarios to the Finance Committee at their January 23rd meeting.
- > The budget is moving forward with sessions scheduled for February 4 and February 6.
- > FRCOG is helping to move forward on the property at 50 Conway Street. There is a meeting at 4:40 on Thursday, January 26.
- > Conway Road - Weather is not helping. Ms. Butler referred to 18 Conway Street, home of Dana McNay, and the problems he has encountered during the project. His comments were the beginning of Public Comment as follows.

Public Comment

- > Dana McNay of 18 South Street outlined for the Board a timeline starting when he purchased his property in 1995. He detailed original flood plain designation, the cost of insurance, the release from flood plain designation, reinstatement, the current cost of

insurance, and the impact on the value of his property and what it would mean to his heirs. Prior to the Conway Street project, he never experienced flooding at his residence, but gave detailed information including dates and damages as a result of water damages due to the project. To be released from flood plain designation would require engineering studies and surveys at a significant cost to Mr. McNay. He is requesting access to those studies and surveys done for Conway Street project for his use in his pursuit to change his property's designation. Board members were not sure if current information would support the documentation Mr. McNay needs, but it can be explored.

> Marilyn Kelsey had reported earlier during the Freight Yard discussion that this meeting was not accessible on cable television. She went home after that portion of the meeting, and came back to report that although it was being recorded, it was still not able to be viewed on cable. She expressed her concerns for those who expect to watch meetings at home and are unable to, and wanted an explanation for the technical difficulties.

> John Gould addressed the Board about the impact of their earlier vote to not grant Mr. Hoberman the waiver he requested. He supported Mr. Hoberman's request, citing his years of service, his integrity, and the burden now placed on the remaining Planning Board members.

Volunteer Recognition - Everyone involved in the budgetary process was recognized for their participation and efforts.

Announcements & Upcoming Meetings - February 14th Select Board meeting including a Clesson Brook Watershed Assessment update.

With no further business, Mr. Phillips moved to adjourn seconded by Mr. Wells. Vote in favor was unanimous. Meeting adjourned at 8:20 p.m.

Respectfully Submitted by Mary Bolduc, Boards' Clerk, February 14, 2023

Signed:

Barry Del Castilho_____

Clinton Phillips_____

Lawrence Wells_____