



**MASSACHUSETTS
LAND TRUST
COALITION**

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Conservation Partners (CP) Meeting Notes
Friday, December 12, 2025, 10:00 AM – 12:15 PM
via Zoom.

Attendance: 88 virtual attendees

Attachments (emailed in advance and/or on website):

- December 12, 2025 Meeting [Agenda](#)
- [State Public Policy Update](#) Dec. 2025
- [LTA Federal Policy Update](#) Dec. 2025
- [Land Trust Alliance Updates](#) Dec. 2025
- [MLTC Staff Report](#)
- [September 2025 CP meeting notes](#), unaccepted

Kathy Orlando welcomed all and called the meeting to order at approximately 10:00 am.

1. **Welcome, call to order, and chair report. Robb Johnson, MLTC ED, and Kathy Orlando, Partner Engagement Chair, convened the CP meeting**
 - a. Meeting logistics and introductions
 - b. Review of September minutes. Buzz Constable moved approval, and Janet Milkman seconded the motion to accept the September 12, 2025 minutes. Hearing no discussion, Kathy called the vote.
VOTE: Unanimous
 - c. Next meeting: Friday, February 27, 2026, 10:00 am via Zoom
2. **MLTC Staff Report -- Robb Johnson, MLTC Executive Director**
 - a. Photo show of drop off of signatures for Nature for All Ballot Initiative Campaign.
 - b. MLTC posted Executive Director position in November. The posting is on MLTC's website. Attendees encouraged to please spread the word. The new ED will succeed Robb Johnson when he retires in June 2026.
 - c. New agriculture quarterly networking meeting (see events page). First session focuses on making conservation land available for agriculture.
 - d. Four-part course with LTA and MLTC on stewardship fundamentals. Robb encouraged people to register. If you are a member of either MLTC or LTA, there is a member rate.
 - e. Conference is about a week early this year. Had over 50 proposals submitted and only 24 slots. Registration will go live in the new year. Dr. Pooja Tandon of TPL based in Seattle will be keynote speaker. Robb thanked sponsors for their critical support for the conference.
 - f. Thank you to all who helped make the land protection tools and techniques course possible. Christa Collins and Rob Warren were lead faculty, as well as other featured faculty from all over the land trust community. Look forward to doing it next year. Registration March-April. Course happens from September to November 2026. Course open to new employees, folks working in land protection, land trust board members, and folks interested in joining the field.

3. **LTA Report – Jen Plowden**, New England Program Manager

- a. Winding down second year of Conservation Excellence Program with MLTC and multiple other land trusts involved. Next year, we are planning a Stewardship Short Course. Scalable strategies will be taught. There is a great price for a whole organization to be involved.
- b. Announcing another round of grant-making. Also planning a June Leadership Summit intended for staff and board members.
- c. Course registration open for managers who oversee staff and budgets but don't manage the whole organization. Virtual course between April and July. Includes both presentation and peer discussions. Applications open now through February 13th.
- d. Offering in-person land acquisition course on CRs out in Albuquerque.
- e. Staying accredited, building endowments, stewardship talks, and other offerings online.
- f. Advocacy Days is coming up in DC. LTA offers advocacy training and facilitates meetings with key legislators.
- g. Resources shared in Resource Center (<https://landtrustalliance.org/resources>). Jobs Board with lots of NE job opportunities listed. Members can post and view opportunities.
- h. Jen's last day is Friday Dec. 19. Hope to hire and onboard a new Program Manager in June. Mariah and Rex will fill in for Jen as LTA hires Jen's replacement. Robb Johnson thanked Jen for her amazing work on the partnership education programs in MA. Jen will also present at the MLTC Conference in March. Rex thanked Jen for her work and said he and Mariah looked forward to working with MLTC.

4. **Featured Topic: A discussion of potential changes to the right of first refusal process for Mass. Gen. L. ch. 61 properties, as proposed in the Environmental Bond Bill** – Sam Anderson, Director of Legislative and Government Affairs, Mass Audubon, and Robb Johnson, MLTC Executive Director

- a. Robb gave background on the environmental bond bill, called the Mass Readiness Act. Natural Resources reported it out with no amendments. Bonding Committee may hold hearing in early January. Senate Ways and Means will review it next, where there could potentially be some amendments.
- b. Our Chapter 61 conversation is about whether it's worth working on some amendments, and if so, what form should they take?
- c. Background on Chapter 61: local property Tax break to property owners who promise to keep ch 61 (forestry) 61A (agriculture) or 61B (recreation) lands enrolled for a certain period of time. Town gets right of first refusal if landowner proposes to convert the use or proposes a sale to convert the use. Once the landowner provide notice to the Town, the Town has 120 days to exercise it or assign it to a land trust or other entity. Under current law, the mayor or select board must hold a public hearing before they exercises or assign, but don't have to hold a hearing before they waive their right.
- d. Governor's Bond Bill proposes changes. Gives state agencies an affirmative right that is subordinate to the Town, if the Town doesn't act. Governor's bill adds carbon sequestration as use that qualifies for Chapter 61, so land doesn't have to be used for forest cutting. For Chapter 61 and 61B, DCR gets a right of first refusal that runs concurrent with towns. MDAR gets this concurrent right in 61A. Requires MDAR to confer with Housing and Econ Dev agencies. Landowners must notify the appropriate state agency in same matter as the appropriate town. DCR and MDAR may tell landowner that the notice is insufficient, just like towns can. City or town must notify the state agency of any hearings or whether they are exercising or not. State has 30 days to record a notice of exercise after the 120 days for the town to act.

- e. Are there opportunities for MLTC to request other changes? Generally, MLTC said early on that we do support state agencies having this right. Agricultural community has raised some concerns. Mark Wamsley from Kestrel has assisted with these discussions.
- f. Some potential ideas discussed:
 - i. Sale with no change in use. Notice or affirmative affidavit when land changes hands?
 - ii. Are we fine with land moving between programs – forestry, recreation or farming?
 - iii. Require mayor or board of select to confer with Conservation Commission and have hearing before declining to exercise.
 - iv. Clarify that if either city or state thinks notice is insufficient, the 120-day clock doesn't start. Arguably law is clear on this but like to make this crystal clear.
 - v. Add language allowing the state to assign to a nonprofit, in same manner that the city or town can. Need to ensure that end use is Article 97 use. What language would ensure this? CR or transfer to state ultimately?
 - vi. No sale until both city and state have recorded notices of non-exercise and recorded this.
 - vii. Agricultural community doesn't like MDAR assigning right for farmland to DCR (or from DCR to DFW). Agriculture could go away. Chapter 61A only give assignability to MDAR. But some MLTC members have said that we prefer conversion to other open space than conversion for development.
 - viii. Chapter 61A-specific requirement that MDAR's purchase is to resale to a farmer. Do we need to make this explicit. Who, if anyone, will pay property taxes in time MDAR holds the land?
 - ix. This allowance of 30 days for state agencies to act might add to the 120 days for Towns. Will some oppose this extra 30 days?
- g. Kurt's response: Folks should understand that EEA talked among state agencies including housing, EEA agencies, various stakeholder groups. Mass Municipal Association hasn't stated any opposition to Gov's filing. Kurt would like to keep it this way. Assignment to land trusts might garner more municipal attention. Political calculus.
 61A issues: One to work on it. Desire not to have assignment to other agencies – would like to talk about this further. Financial implications: Going from tax advantaged to PILOT might have fiscal impacts.
 Kurt doesn't read 120 days as being extended by 30 days, so let's talk through language to address this.
- h. Mark Wamsley said that the ability to assign to land trusts would allow land trusts to pre-acquire for state agencies. Addresses tight timeline. This is why to explicitly include Article 97 to ensure it goes back to city or town. Kurt is happy to continue the dialogue.
- i. Kate asked if DCR could waive its right without conferring with DFW? Kurt says he intends that they would confer with the language as written.
- j. Carol said depending on relationship of the town and land trust, there isn't any requirement that the town tell the land trust before declining to exercise. How define who must be notified? Rob Warren suggested that the language should require public notice or a hearing before the local Conservation Commission. Does the landowner have to notify CPC and Con Comm? Robb said that the language of current law says there will be a public hearing, but only if the town exercises its right. Could hold the public hearing at 11th hour.
 Cheryl suggested that we need public notice of the hearing.
- k. Robb asked participants to please contact him if you have amendments that you want to propose. Don't want to lose the baby with the bathwater. Any proposed amendments will need to be drafted and circulated with Legislators.
- l. Cynthia Henshaw asked that we please look at comments from the chat that weren't discussed.

- m. Kurt said that he is happy to arrange a chat once MLTC has gone through all the comments. We may not have 100 percent alignment but it's nice when we do.

5. State Agency Updates – Kurt Gaertner, Assistant Secretary for Environmental Policy, EEA and agency staff provided this update.

- a. MA state agency – land use strategy. Progress being made on Integrated Land Use Strategy.
- b. Qualifying housing. MEPA review changes that relate to reduced requirements for ENFs or reduced EIRs on housing in certain instances. Mass Rivers Alliance comment being considered. Also received lengthy comment from NAIOP making different comments too. Look to issue regulations in due course.
- c. EEA was encouraged to finalize Wetlands 1.0 package. Relates to work of qualifying housing proposal. Open Space Act regulations still pending. EEA desires to get these regulations across the finish line. Kurt had to leave and thanked everyone.
- d. Lisa Primianoo: Hit record for 9 CRs signed in one day. Trying to get multiple CRs signed by end of year. By the numbers, 202 CRs in workload. Of these, 81 with DCS staff and rest with the parties. Making great progress.
- e. Lisa said that a couple of steps need to happen to make progress on CRs. Review about 110 CRs annually. Have 3 staff, one part-time reviewer, and 3 contract staff. Legal review takes longer than we hoped but is speeding up.
- f. Lisa will report on the CR review portal (CRTS) at the pre-conference session on March 3. EEA will also have a table at conference to get registered to learn more about “CRTS” for CR submittal and tracking. Will help flow of information.
- g. Lisa said EEA is moving forward with review of a new Model CR. Lots of opportunity for input. Review Committee on Model CR will begin meeting in January and will be smaller committee.
- h. Lisa said that EEA received grant programs feedback at the retreat. Working to review all the feedback with program managers at EEA and 8 land trusts and Robb from MLTC. Open to hearing how we can do better job with grant programs. Looking at scoring criteria and consistency across state programs – appraisals, handling acquisition issues, make application process simple as possible, can we consolidate any grant programs or do alternating years? Looking at external factors that hold up the grant programs. New processes may not work as well as hoped with new staff coming into EEA.
- i. Katherine Otto reported that there was great attendance at APR webinar. Sign up for Farmland Newsletter because big news coming out in next few weeks.
- j. Sheri Widdiss: If you are requesting secretary's signature or another agency, send whole document as PDF and request quick signature. Hope it will be a simple process (CRTS).

6. MLTC Policy Committee Updates – Robb Johnson (MLTC)

- a. Robb said that the process and conversations for the environmental bond bill continue.
- b. Robb also reported on the Nature for MA process. There is a bill that would achieve same outcome as the ballot initiative. So far, the bill hasn't moved. Would dedicate a portion of sales taxes on sporting goods, approximately \$100 million per year, to land conservation and Restoration, which would double state money going into land conservation today. Parallel process would put a question on the ballot for state voters in November 2026. Required number of signatures have been submitted. Legislature could pass by June; if not, we can submit small number of additional signatures next year. Mass Audubon is the leader of negotiations with legislature, but there is a large coalition backing the proposal.
- c. MLTC's state policy update and the federal policy updates sent out before this meeting.

- d. David Davidson asked whether the state could assign rights given to MDAR and DCR under proposed changes to Chapter 61 to housing and economic development agencies. Others said the bill just requires that MDAR and DCR just confer with those agencies. But the state agency could decline to act if housing or economic development thinks other uses are more appropriate than conservation.
- e.

7. Committee and Working Group Updates:

- a. Mariah Fogg reported on the MLTC Early Conservation Career Network (ECCN). Pre-conference events planned for young professionals. Expanded kickoff meeting for young professional mentors and mentees. Launch event was awesome. Robb thanked Mariah and her colleagues for doing a great job with the mentor program
- b. Buzz Constable reported for the Amicus Committee on the Estabrook Woods case. Roads abandoned before 1924 retained a public right of access. This result is generally good for us in terms of keeping old roads available for trail use. But court did not define what the limits to public access are — and whether roads can be improved.
- c. Buzz reported on a Barnstable dispute about whether notice for a 61A sale was properly given. Dispute may go to litigation. Did the landowner properly notify the Town and did the town adequately provide notice and consider it before waiving right of first refusal?
- d. Buzz reported that a Westwood matter emphasizes the need for careful drafting of CRs. Town in a dispute about whether it can lease land to farmer while land trust holds CR giving the the right to approve or deny such uses. Long term lease or license. Farmer wants to invest a lot of money so it would be a longer-term agreement.
- e. Buzz reported on a case involving Nahant versus Northeastern University. Northeastern wants to expand over cherished open space that hasn't really been protected. Issue is whether Town taking a CR by eminent domain for conservation purposes was legal. CLF, Mass Audubon, Trustees have filed an amicus brief. Amicus will argue that conservation is important and a legitimate reason for the taking. First SJC case to address these issues.
- f. Governor would like to use "surplus" lands for housing and development. Mass Bay Community College has 45 acres declared surplus and proposed for housing. Town of Wellesley is opposing because most of the property is valued as open space and is adjacent to an important park. Globe editor weighed in and said save what you can and let some be housing. We will need to figure out how to avoid getting conservation demonized by housing advocates. Robb noted that the state has whole program about selling surplus state lands, and that environmental screening is part of the process. Do we always agree? State says whole 45 acres is suitable for development, environmental advocates it should protect it all, while Buzz thinks we should work to accommodate both uses. Kathy Orlando noted that the Wellesley case ties into our retreat discussion about how open space and housing can work well together.
- g. Kathleen Doherty from American Farmland Trust reported that the MLTC Agriculture Committee hopes to meet more frequently and regularly in 2026. New charter for the committee provides that it will weigh in on policies when relevant in consultation with MLTC, supporting those interested in protecting farmland. Quarterly networking Zoom meeting will be on Making Protected Land Available for Farming. Mostly concerns land trust lands in fee, but it could include a conversation about CR lands. Main point is to meet each other. [February 11th Ag Networking call \(LINK\)](#). Robb noted that there will be Agricultural networking opportunities at MLTC conference too.

8. Other Business

- a) Emily Boss reported on a [River Corridor Easement project](#) that involves the Franklin Land Trust working with others. Major factor is increase in high impact flood events. Hurricane Irene adversely affected the budgets of many towns. Trying to protect Channel Management rights protected to adjust during floods, protect habitat and improve resiliency. They hope to interact with Model CR review committee shortly. Robb asked whether we could ask that these provisions be included in the Model CR language? Vermont program was a paid program, but there are differences here in MA. How do you deal with conserving and delineating an area that is going move? Look at the furthest edge of where the river has been over time. Look at broader area along the river to make this more effective. Barbara will share the draft River Corridor CR language with everyone. The easement language is in part 3.

12:15: Buzz moved to adjourn. Hearing no discussion, Kathy adjourned the discussion.

Respectfully submitted,

Mary Griffin, filling in
for Vidya Tikku, Clerk