

Ad Hoc Town Forest Exploratory Committee Report

Oct 22, 2024

Executive Summary

The town of Leverett has been offered a 147-acre parcel of managed forest to be donated as a town forest. After thorough consideration of the situation, the Ad-Hoc Town Forest Exploratory Committee recommends that the Town of Leverett accept the donation of the 147-acre Two Brothers Woodlot from Bruce Spencer and Judy Northup-Bennett. Based on a 24-point criteria (appendix C), the committee believes the property offers significant environmental, recreational, and educational benefits to the town that outweigh potential costs and challenges of town ownership.

The property features diverse forest types, wetlands, vernal pools, and historic/cultural sites. It is protected by a Conservation Restriction held by Franklin Land Trust. Accepting the donation aligns with Leverett's open space and recreation goals, providing opportunities for hiking, skiing, hunting, fishing, and sustainable forest management.

Under Massachusetts law, management would be overseen by a three-person Town Forest Committee appointed by the Select Board working with a licensed forester to implement a forest management plan. Potential costs include periodic road/trail maintenance and eventual bridge replacement. Revenue from sustainable timber harvests could offset some expenses.

Public engagement is recommended before bringing the proposal to Town Meeting, including informational sessions and guided property tours. The donation delivers unique value as a showcase of 50 years of careful forest management practices.

Concerns exist around bridge/access issues with an abutting property owner and potential community opposition to logging, even if done sustainably. However, the Committee concludes the property's conservation, recreational, and educational benefits outweigh risks. Town ownership would preserve this forest as a long-term community asset aligned with Leverett's values and priorities.

Introduction

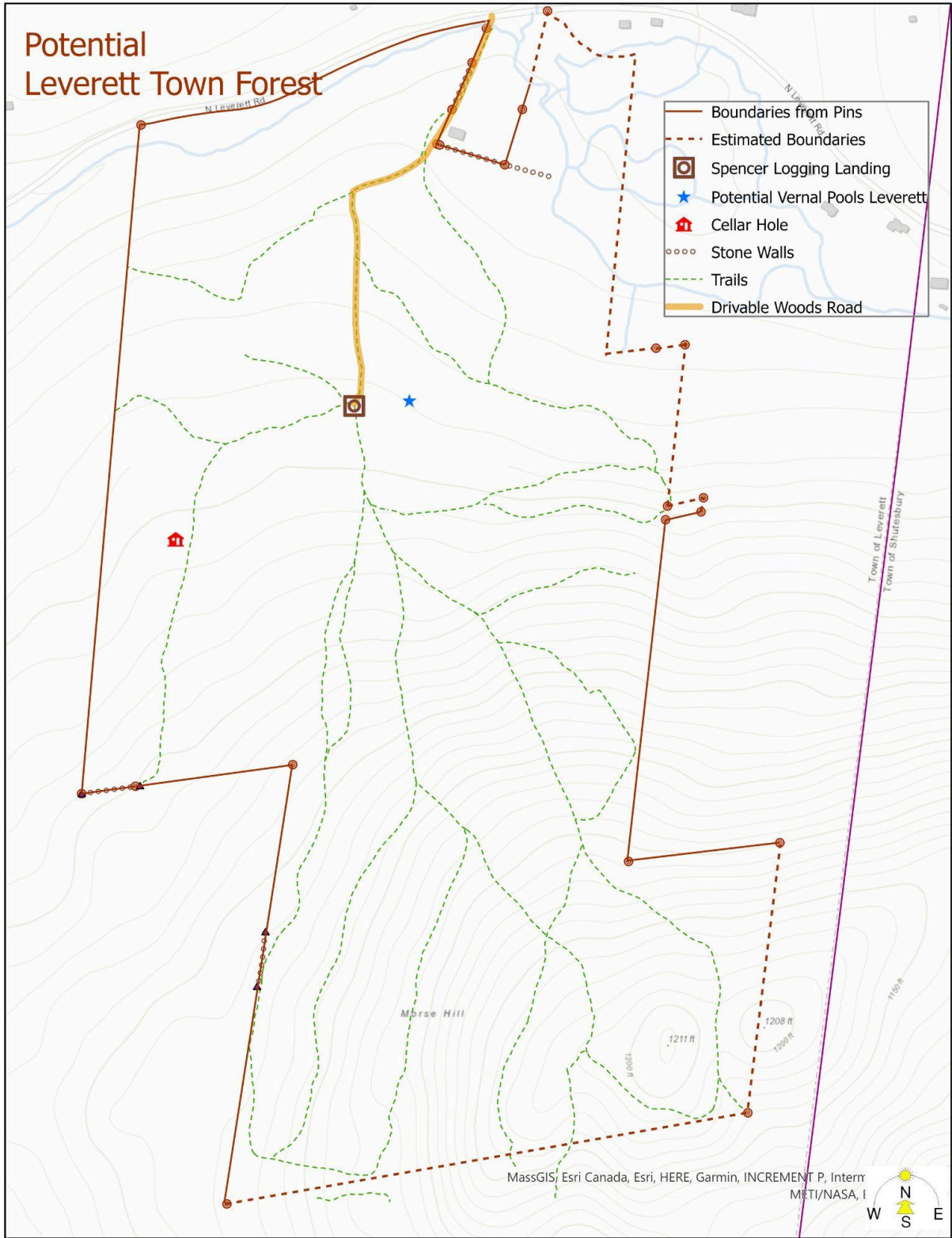
In 2023, Bruce Spencer and Judy Northup-Bennett approached the Leverett Select Board with a proposal to donate their 147-acre woodlot to the Town of Leverett. Called the Two Brothers Woodlot, Bruce's vision is for the forest to be managed as a Town Forest under the ownership of the Town of Leverett, with continued recreational uses including non-motorized day use on the many existing trails for hiking and skiing, as well as access for hunting, trapping (beaver), and fishing. Bruce Spencer is a renowned forester who has practiced and promoted small-scale forestry on his woodlot. In his professional life, he was Chief Forester for Quabbin Reservoir for many years.

The Two Brothers Woodlot, composed of three parcels, is located at 353 North Leverett Road near the town line with Shutesbury. Figure 1 below is a map of the property. The property features a wide range of topography, forest types, and historical and cultural features. It includes riparian zones along North Leverett Road, wetlands and vernal pools, and mixed-age upland forest. There are stone walls and a rustic cellar hole dating from circa 1800. The property is located entirely within a BioMap 2, a Massachusetts tool for conservation planning and prioritizing, and contains Estimated Habitats of Rare Wildlife and Priority Habitats of Rare Species as recognized by the Massachusetts Executive Office of Energy and Environmental Affairs, Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program. The Franklin Land Trust holds a Conservation Restriction on the property.

This 147-acre forest has been actively managed by Bruce Spencer, his brother Hartley, and others since 1973 with great care and intention. The Two Brothers Woodlot is known by professionals in the forest industry as a showcase of managed forests. Bruce's work and dedication to this land is evident when walking the forest roads and trails; this forest is a place of natural beauty, managed for a sustainable environment, conservation of resources, animal habitat, and timber production.

The roads are surfaced in gravel and grass which support maintenance and small-scale logging equipment; water bars are placed at intervals to prevent

erosion. Traversing the property from north to south, from low ground at the bridge entrance up the steep slope towards Morse Hill, the visitor passes through a range of forest types and structures. Dense, towering stands of hemlock and white pine predominate on the lower slopes where water emerges in vernal pools. Moving up the slope, impressively large red oak trees dominate the forest canopy along with scattered birches and maples. A feature of Bruce's forest management legacy is selecting and growing the most vigorous and valuable trees by thinning out slow-growing or poorly formed competitors.



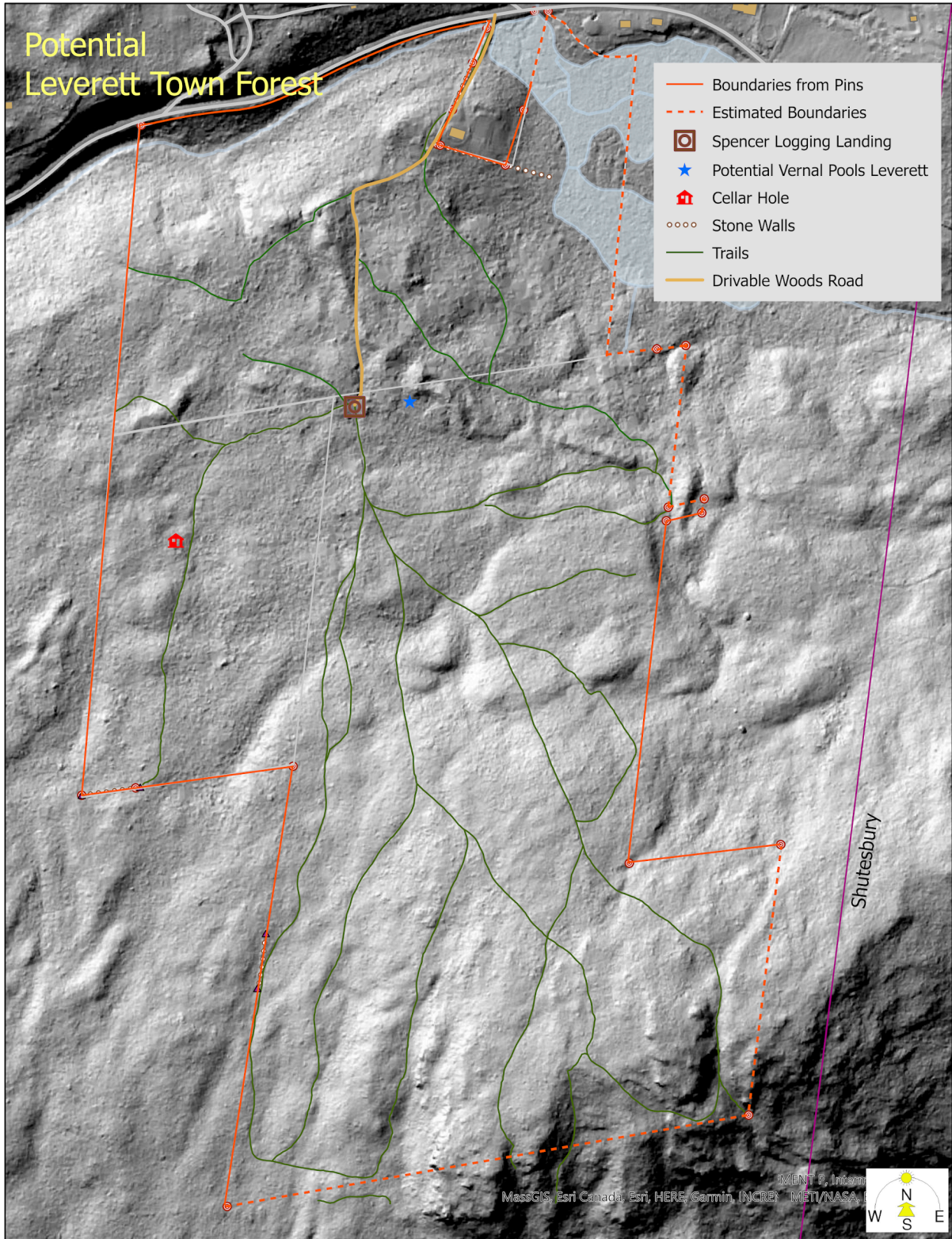


Figure 1. Two Brothers Woodlot Property Map

Purpose of the Donation

Bruce Spencer has offered the Two Brothers Woodlot to Leverett as a managed town forest. His hope is that the land will continue to be actively managed by the town under a similar management philosophy as his own.

Rather than to create a forest preserve, of which the town already has many, the intention of this gift is for the town to continue to manage the forest using the ecologically-focused, low impact methods that have been conducted on the property for decades. It should be noted that these practices include the regular cutting of trees and hunting to control deer populations.

A managed forest provides many benefits to society, including timber and non-timber forest products (for example, firewood, sawtimber, maple syrup, mushroom logs, wreath-making materials, etc.), ecosystem services (clean water and air, carbon sequestration), wildlife habitat, and recreational opportunities, among other things. In particular, owning this forest would provide an opportunity for engagement by the town of Leverett in sustainable and local forestry practices into the future.

Mr. Spencers' guiding management principles over 50 years have prioritized forest health, floral and faunal diversity, and establishing discrete forest stands of mixed structure and age classes that suit the wide range of available growing conditions across the property. Specific management guidelines include:

Forest composition and structure: Maintain plant diversity and introduce native species that are not present but suitable to the site. (For example, American Chestnut has been planted throughout, both pure and hybrid varieties.) Retain trees larger than 30" diameter of dominant species (oaks, white pine, hemlock) scattered throughout the woodlot for canopy cover and as seed sources for future regeneration. Permit deer hunting to control browsing that prevents regeneration of hardwoods, especially oaks. Remove invasive plant species.

Logging systems: Low impact logging should use small forwarders and skidders, ideally with less than 100 horsepower, to prevent unnecessary destruction and compaction of forest soils. Wintertime logging is preferred, especially when the ground is frozen and snow covered. Prevent soil erosion on trails and truck roads by maintaining water bars. Maintain both large and small coarse woody debris throughout the property, that is, no whole-tree harvesting. All trails should be kept free of slash. Salvage operations should be carried out following significant disturbances such as hurricanes, severe local storms, fire, or insect/forest pathogen attacks causing significant mortality; salvage should retain 1/3 of downed material as coarse woody debris, both large and small.

Infrastructure and monitoring: Brush out and paint property boundaries every 5 years. Maintain and measure every 5–10 years the Continuous Forest Inventory Plots.

If accepted by the town, Bruce has proposed that future management of the above will be planned and supervised by a licensed Massachusetts Forester, with input from a Town committee or appointee. Specifically, he would like the Forester to lead an annual stewardship walk of the woodlot and additional educational walks if desired or planned.

The property is currently registered in Massachusetts' Department of Conservation & Recreation's Chapter 61 program for forest management. The current [forest plan](#) provides more detail on the condition, management, and goals through 2029.

Timeline for Donation

If this gift is accepted by Leverett, Bruce intends to turn forest ownership over to the town at a future date, likely in the next 3 to 5 years. He would continue to be involved in forest management decisions for the foreseeable future as he is able. He recommends that the town work with MA. Lic. Forester Mike Mauri to guide management of the property.

Assessment of Current Conditions

The Two Brothers Woodlot is abutted on the north by North Leverett Road and by two residential parcels, one of which is enclosed by the Woodlot. On the west the property abuts a 172-acre parcel that is part of the Paul C. Jones Working Forest. On the south it abuts property owned by Kenneth and Margaret Brownwell of Dudleyville Road, and a parcel owned by W. D. Cows, Inc. On the east the Woodlot is abutted by four landholders, including Brian and Rebecca Spear of 379 North Leverett Road, Kenyon Fairey of 7 Lakeview Road in Shutesbury, and two landholders with access from Lockes Pond Road in Shutesbury, the Morse Hill Outdoor Education Center and Isaac Goldstien and Casilio Kelly.

A timber bridge crosses the Sawmill River at the entrance to the Two Brothers Woodlot. The bridge is constructed from large treated douglas fir timbers and has a heavy-duty oak driving surface. The support structure rests on poured concrete bridge abutments. The bridge was built using high-grade materials, including reinforcements, siltation cloth, trap rock, and heavy-duty galvanized bolts and hardware. It supports the weight of multi-axle loaded dump and construction vehicles as well as fully loaded logging trucks. The bridge was built by L&F Construction in 2007 and at present is in excellent condition; full documentation with detailed photographs from the time of construction is available for review. A selection of images appears in appendix X.

Bruce Spencer owns the land under the bridge. Once across, access to the woodlot is provided by a right-of-way along the road that runs along the neighboring landowner Colin York's west property line; the landowner's house is situated within 50 feet of this well-maintained gravel and grass road (see Property Map 2, parcel 112).

Mr. Spencer reported in August 2024 that he shared his intention to donate the property to the town with Mr. York who owns the house and small lot abutting the property. Mr. York has an access easement to use the bridge to access his property and Mr. Spencer has an access easement to access his land. Mr. Spencer reported that since Mr. York took ownership from his

father Steve Gill he has paid for half of bridge maintenance cost and improvements to the access road on his property.

Three small wood structures on the lower slopes of the property would be disassembled and removed by Bruce should the Town accept this land. These include two small sheds and a portable sawmill. Mr. Spencer expressed his intention to remove all structures from the property should the Town desire this.

Financial Implications

Low costs are associated with the property under current management practices. Over time Bruce has experienced a net revenue gain from the sale of timber products, mostly firewood and sawlogs. The Town Forest Exploratory Committee estimates the following potential cost categories associated with property ownership. Where applicable, cost estimates are best guesses assuming the goal is to keep the property on its current management trajectory.

1. Bridge maintenance and eventual replacement; maintenance of access for the abutting resident, especially during winter (ice, snow removal) to applicable standards by Massachusetts law (for example, to standards applied to the Coke Kiln Road bridge). Unknown. The bridge is currently in good condition. If the Town acquires the property, the state will complete a bridge assessment at no cost to the Town. The committee is not recommending, prior to donation, that the Town complete a bridge assessment at this time.
2. Maintaining property boundaries (approximately \$150 every 10 years for paint).
3. Maintenance of forest roads in their current condition (\$2,000-\$15,000+ every 10 years).
4. Hiring a professional forester to assist in management, such as writing a forest management plan, conducting non-commercial management

activities (for example, timber stand improvement, invasive plant control), and overseeing timber sales. The Committee approximates the cost of creating a forest management plan to be roughly \$5,000.¹

5. Loss of taxable land for the town; because the property is held under Chapter 61 and a Conservation Restriction, this loss would be minimal, roughly \$250/year.
6. Property acquisition costs may include lawyer fees, title search, and title insurance. Estimated cost of \$2,000-\$4,000.

The Town Forest Exploratory Committee feels it is important that the town not consider this property a regular source of income for the town budget due to the challenges of generating income from the sale of trees and the potential damage that could happen if the property were managed for profit. That being said, Mr. Spencer firmly believes that the sale of forest products on this property can more than offset costs. At this time, Bruce estimates that there is about \$6,000 worth of white pine timber that could be harvested in the coming few years.

State and federal grants for forest management and recreation are likely to be another source of income to assist in managing the property.

Benefits to the Town

The offer of this land would benefit the Town of Leverett in many ways:

Four-Season Recreation: The Two Brothers Woodlot offers ample space and varied topography for non-motorized recreational activities such as hiking, all-terrain biking, and cross-country skiing.

Hunting: Seasonal hunting, especially of deer, has occurred there for decades and would continue as a forest management practice (controlling deer

¹ A consulting forester could help the town access sources of funding such as grant monies and/or the sale of forest products that would offset management costs.

populations is essential for forest regeneration). Fishing and trapping are also allowed under the Conservation Restriction. The Sawmill River that fronts the property along North Leverett Road offers opportunities for fishing and trapping. Trapping for beaver is only allowed to protect the bridge which has happened once in the past.

Environmental Conservation and Biodiversity: The preservation and continued development of diverse, multi-aged forest stands across the property through best-practices low-impact forest management would yield tangible environmental benefits to the town. These include improved forest health, robust growth at the stand level yielding timber and quantifiable carbon sequestration, resilience to natural disturbances including wind and fire, and improved habitat for animals and birds which would enhance local biodiversity.

Educational Use: Great potential exists for educational uses of this town forest. Low-impact forest management practices on the Two Brothers Woodlot could offer opportunities to educate local and regional audiences about the environmental and financial benefits of a form of small scale forestry that is vanishing across southern New England as the industry becomes more mechanized. Walking site tours could benefit town residents, local elementary, middle, and high schools, and Five College classes in forestry and wildlife management. Other unique educational opportunities requiring such a property could include chainsaw training and controlled burn practices. The property's forest development over time could offer a unique research opportunity for natural resources curricula at UMass Amherst, especially in the study of managed forests in their role in a changing climate. Educational signage would aid in sharing the unique aspects of this land with visitors.

Potential for Engagement by Future Town Members: The time and energy of the townspeople of Leverett is a finite resource. There are likely to be times when there is higher or lower levels of engagement by the town in the management of this town forest. However, if the town accepts this gift, it will be a long-term asset. Regardless of interest or capacity at any given moment, a significant benefit to the town will be the *potential* for future engagement. If the town acquires this forest, members of the community may come along

in the future with ideas, energy, or excitement, and the town forest may prove to be the perfect place for expression of that energy.

Wood Bank: There has been discussion in town as to the value of a woodbank that would be available to residents. Other towns in the region have set up wood banks. It's possible this property could serve that purpose.

Potential Risks and Challenges

Maintenance and upkeep costs: There will be ongoing costs for forest management, trail and logging road maintenance, and infrastructure upkeep, most concerning of which is the bridge and access to the neighboring residence.

Community concerns: Community members may oppose logging on the property even if such logging is done with care and is consistent with a forest management plan. Some residents may oppose other uses of the property, including hunting. The use of the property for hunting goes back many generations and such hunters would want to continue their use of the property for that purpose. The Town may need to have a capacity to respond to community opposition to some uses which are part of the intention of the gift.

Opportunity costs: Ownership of the property could divert Town resources (human and capital) to the property and away from other potential uses. Management of the property would require a group of dedicated volunteers.

Long-term sustainability: If the Town accepts ownership of the property, a long-term vision and plan for its management would be necessary. For example, what institutional mechanisms will guarantee the ongoing management of the property? For example, in Shelburne Falls, when the membership of the Conservation Committee completely turned over, a property owned by the Town was forgotten and not managed for years because the institutional memory that the Town owned it and was supposed to manage it was lost. This scenario seems possible in our small town.

Legal and Policy Considerations

The property is encumbered by a perpetual Conservation Restriction (CR) held by Franklin Land Trust. The CR is not particularly restrictive relative to other CRs and conservation easements in the region, but it does limit the ability to subdivide and build on the property which the Town would have to abide by if it owned the property. If the Town were ever in a position where it needed to sell the property, the CR would affect its marketability.

As with any Town-owned parcel, the Town would need to maintain an understanding of liability issues related to public safety, environmental degradation, and compliance with state regulations. There may be additional liability related to the maintenance of the bridge that connects the property to the road over time.

If the Town were to accept the donation, an assessment should be completed on how the acceptance complies with existing norms for such donations. Put differently, if the Town accepts this donation, does it set a precedent that could influence future decisions?

Another policy consideration relates to accepting a property for which the intent would be to operate the site as a managed forest with periodic timber harvesting and hunting. Some community members may be opposed to logging at any scale or approach, and this could create conflict for the Town unless a clear policy were in place indicating the purpose and ongoing use of the property for timber harvesting. Additionally, if the property were managed for periodic timber harvesting (and hunting) as intended, such activity could pose a liability for the Town if recreational users were on the property while logging operations were happening.

Alignment with Leverett's Open Space and Recreation Plan

The proposed donation of the 147-acre Two Brothers Woodlot to the Town of Leverett aligns with and supports the goals and priorities outlined in Leverett's Open Space and Recreation Plan (OSRP) from 2019.

The OSRP states that the town's highest open space protection priorities are to "Protect land for wildlife habitat (52%)"; "Protect land from development (42%)"; and "Protect land along rivers and streams (36%)". The Two Brothers Woodlot directly addresses all of these priorities.

Secondly, the vision outlined by Mr. Spencer and in the management plan for managing the Two Brothers Woodlot as a sustainably managed forest aligns with the OSRP's goals to "Promote wide recreational usage of Leverett's natural resources" by allowing continued hiking, skiing, hunting and fishing access; to "Improve access to open space for all residents" by eventually creating parking areas and trail maps; and to "Preserve the rural character of the town" by demonstrating sustainable, low-impact forestry practices that maintain a healthy, diverse forest.

Additionally, several of the specific action steps in the OSRP's 7-Year Action Plan would be directly supported by this donation, including:

- "Work with willing private landowners to establish trails to connect public conservation areas and historic resources." The Two Brothers Woodlot abuts other conserved land and could enhance trail connectivity.

- "Assess major wildlife core habitats (including vernal pools), riparian corridors, wildlife corridors, core habitats...to determine priority areas to protect and enhance." This parcel has already been identified as having important habitat and water resources, including a year round flowing spring.

Finally, the potential for the site to serve educational purposes, demonstrating sustainable forestry and offering research opportunities, supports the OSRP objective to "Develop and make available trail maps/guides/signage to Leverett's trails, open space, recreation areas ... and historic landscapes."

Town Forest Management & Governance Structure

Under Massachusetts General Laws, Part 1, Title VII, Chapter 45, Section 21, the Select Board appoints a Town Forest Committee to manage and care for a

town forest. The Committee, composed of three members, serves without compensation, each member serving for three-year terms.

The Town Forest Committee would hire and work with a licensed forester to develop a forest management plan based on the management objectives determined by the town to achieve long-term forest management goals. The management plan would be presented to the Select Board (or Conservation Commission if delegated to them by the Select Board) for approval prior to filing with the state. The Town Forest Committee would oversee the implementation of the plan by the forester and report annually in writing to the Select Board.

We provide a suggested structure for a newly constituted Town Forest Committee.

1. Appointment: The Select Board appoints the Town Forest Committee members.
2. Composition: The committee consists of at least three members.
3. Terms: Each member serves for a three-year term. The town may want to consider staggered appointments for the first iteration of the committee.
4. Compensation: Members serve without compensation.
5. Authority: The Town Forest Committee is responsible for managing and caring for the Two Brothers Woodlot property.
6. Responsibilities:
 - Hire and work with a licensed forester to develop a forest management plan.
 - Present the management plan to the Select Board (or Conservation Commission if delegated by the Select Board) for approval before filing with the state.
 - Oversee the implementation of the approved plan.
 - Submit an annual written report to the Select Board.

7. Oversight: The committee operates under the oversight of the Select Board.

8. Legal Basis: This structure is based on Massachusetts General Laws, Part 1, Title VII, Chapter 45, Section 21.

Some members of the Town Forest Exploratory Committee have expressed openness to serving on a newly constituted Town Forest Committee, should one be appointed. Other community members have expressed interest in the past. In the future, involvement in this committee is expected as many townsfolk have an interest in forestry and conservation.

Public Engagement and Feedback

It is the recommendation of the Town Forest Exploratory Committee that a series of informational forums be held prior to putting the adoption of a Town Forest before Town Meeting.

1. A series of public meetings (either remote or in-person) to introduce community members to the property and the potential Town ownership and to answer questions.
 - a. Distribute trail maps
 - b. Provide guided hikes of the property for interested members.
 - c. Potential screening of video created by Chris Hardee about Mr. Spencer
 - d. Develop informational slides for Town Meeting.

Decision-Making Criteria

The following criteria were developed by and applied by the Town Forest Exploratory Committee to make an informed recommendation about accepting the donation.

Conservation Value: Evaluate the land for its wildlife habitat, recreational opportunities, scenic qualities, and potential to manage for ecosystem services and limited timber harvesting. The land's ecological and environmental benefits to the public should be a key consideration.

Compatibility with Town Goals: Assess how well the land's characteristics align with the Town's conservation and recreational goals. This includes considering if the Town desires the land to be kept forever wild, managed for forestry, open for hunting, or used for limited hiking trails. Its compatibility with existing open spaces and potential to enhance the Town's recreational offerings should also be considered.

Management and Maintenance: Given the Town's limited resources and capacity, carefully evaluate the potential costs and logistical requirements associated with managing and maintaining the additional land. This includes ongoing conservation efforts, accessibility improvements, and any necessary habitat restoration or management activities.

Financial Implications and Opportunities: Consider any potential financial costs and benefits to the Town of accepting the property.

Legal and Administrative Requirements: Consider legal and administrative processes associated with the donation.

Community Benefit: Evaluate the community benefits represented by the donation.

See Appendix C for the rubric based on these criteria that the Committee used to determine its recommendation to the Select Board.

Conclusion and Recommendations

The Town Forest Exploratory Committee recommends that the Town of Leverett accept the donation by Bruce Spencer and Judy Northup-Bennett of the Two Brothers Woodlot. The donation delivers public, environmental, and conservation benefits that outweigh the potential costs of Town ownership.

We encourage public input into the process to both educate community members about the property and its special qualities and to obtain buy-in from the community for its upkeep and management.

APPENDICES

Appendix A Answers to questions presented to the Town Forest Committee about the proposed donation

1. What is the size and current status of the Spencer property?

Bruce Spencer owns three parcels on North Leverett Road that together total 147 acres. There is a Conservation Restriction on the property, held by the Franklin Land Trust.

2. What are the reasons the Town should accept the Spencer property?

See Benefits to the Town section of the Town Forest Exploratory Committee Report.

3. What are potential negative consequences (e.g., legal, financial, land use) of the Town accepting the Spencer property?

See Potential Risks and Challenges section of the Town Forest Exploratory Committee Report.

4. What, exactly, will it mean for this property to be a “working forest?”

Bruce prefers the term “managed forest.” The intent of a managed forest is to provide a variety of benefits to the community, such as supplying forest products, with an eye to ecosystem benefits.

5. What are the ways in which the proposed working forest will be used? What outcomes does the Town hope to achieve?

There are a number of uses for a town forest which might include: demonstration of the ecological benefits of low-impact logging, use of a section of the land as a community “wood bank”, recreational use of the many trails for hiking, bird watching and animal tracking, mushroom collecting, etc., as well as possible revenue from timber sales.

6. If the Town votes to accept the property as a working forest, what will be the legal and tax status of the property? (e.g., will the property become conservation land? Will a conservation easement be attached to the property?)

There has been a conservation easement (called a Conservation Restriction in Massachusetts) on this property since 2007, held in perpetuity by the Franklin Land Trust, and approved by the Leverett Select Board as well as the Massachusetts Secretary of Energy and Environmental Affairs. It is recorded in the Franklin County Registry of Deeds, Book 5437, page 195. The tax implications are small given the property currently taxed ~\$250 annually.

7. How will the working forest be managed, both in terms of timber operations and town oversight? Will a new Town body be formed to make decisions about the property? Will that body have authority to make decisions on its own or will it need to get approval from the Select Board or Conservation Commission?

Under Massachusetts General Laws, Part 1, Title VII, Chapter 45, Section 21, the Select Board appoints a Town Forest Committee to manage and care for a town forest. The Committee, composed of three members, serves without compensation, each member serving for three-year terms.

The Town Forest Committee would hire and work with a licensed forester to develop a forest management plan based on the management objectives and the professional expertise of a skilled forester to achieve long-term forest management goals. The management plan would be presented to the Select Board (or Conservation Commission if delegated to them by the Select Board) for approval prior to filing it with the state. The Town Forest Committee would oversee the implementation of the plan by the forester and report to the Select Board.

8. What will the Town need to monitor and manage the property?

Franklin Land Trust, as holder of the conservation restriction, is required to monitor the property and submit a report yearly. This report relates specifically to the conservation values as laid out in the CR. Additionally, the

Town Forest Committee would monitor the forest management and report to the selectboard as needed.

9. Will the town forest be designed to be self-sufficient or will it have a similar status to a town department or commission and be budgeted as such?

This will depend, at least in part, on how the town decides to use the resources of the property. The Exploratory Committee does not see the property as a source of revenue but we expect it to be capable of generating income sufficient to pay for management through grants or sale of timber. The committee itself will not be a paid entity, as stipulated by state law (see question 7 with the Massachusetts General Law provision information).

10. What is the anticipated average annual revenue from the town forest?

Generally, with a lot this size, harvesting of trees would not be done on an annual basis, therefore the revenue would not be calculated annually but rather based on the forest plan. Mr. Spencer estimates that the next timber sale that is ready to cut might represent about \$6,000 of value to the Town. The Committee guesses that a cut of this size may happen about every 10 years or so.

11. What are the anticipated average annual costs for the operation of the town forest?

See Financial Implications section of the Town Forest Exploratory Committee Report.

12. What will those costs consist of?

See Question 10.

13. Are there periodic or long-term costs that can be anticipated and, if so, what are those costs likely to be?

Most significantly, at some point in the future, the bridge across the Sawmill River to the property will need upkeep and/or to be replaced. It is difficult to anticipate those costs because it is impossible to know at the present time what and when those needs will be and what level of state funding will be available. Currently, the bridge is in excellent condition.

See Financial Implications section of the report for further analysis.

14. If revenues in a given year, or over a designated period of time, exceed the costs incurred by the Town to manage and maintain the town forest, will the profit made on the working forest go into the Town's general funds or will it be applied to pay for or offset specific Town expenditures?

This would need to be decided by the Select Board in conjunction with the Town Forest Committee.

15. What if revenues fall short of operational and maintenance costs? Will the shortfall be made up from general Town funds?

In a scenario where revenue from timber or grants fall short of maintenance costs, the Select Board would need to make a decision about providing funding. If such funding was not forthcoming, the property could go unmanaged for a time, which would not negate many of its benefits. If the Town accepted the property, the Town Forest Committee could consider an endowment strategy or other fundraising for the long term management of the property. Applications for CPA funds could be a source of funding for some projects on the property.

If the town is not able to cover the costs of the forest, Mr. Spencer prefers that if the town "put the woodlot to bed and let it take care of itself until the town gets back on its feet" rather than sell it.

16. How will the public gain access to the property?

The public will be able to access the property by driving to the parking area. A trail map has been made and will be accessible through the Leverett Trails Committee which is co-sponsored by the Rattlesnake Gutter Trust and the Leverett Conservation Commission. Trail maps will be posted at <https://rattlesnakeguttertrust.org/p/20/Trails>

17. What activities by the public will be permitted on the property? What, if any, activities will be prohibited?

The Conservation Restriction held by Franklin Land Trust outlines the owner's permitted and prohibited activities. Permitted activities include recreational activities (hiking, horseback riding, cross-country skiing and other non-motorized recreational activities), forestry, and agriculture. The owner can regulate, permit and/or prohibit hunting, fishing, and trapping. Bruce Spencer has allowed all of these activities. On other properties owned by the town these activities are currently allowed.

18. Who will maintain the trails and woods roads on the property and how will that maintenance be carried out?

At this time, the woods roads are maintained as part of the forestry operations. If the town were to accept the gift of this land, the wood roads would need periodic maintenance to remain open and in good condition. This work would be part of the management of the property by the Town Forest Committee, likely in conjunction with other town groups such as the Leverett Trails Committee, or potentially the Town Highway Department.

19. Will maps of the property be made available to Leverett residents. If so, how and in what form(s)/format(s)?

Trail maps have been developed by the Town Forest Exploratory Committee and would be available to the public for download through the Leverett Trails Committee on the Rattlesnake Gutter Trust website as well as the Franklin Land Trust website. Formats will include pdf and Google Earth (kmz/kml) formats as well as others. These technologies will, of course, change over time as technology changes.

20. What will the timber operations on the property consist of? (e.g., cutting, skidding, hauling, etc.)

The current logging system incorporates low-impact logging using forwarders and skidders with less than 100 horsepower. Compaction of forest soils is prevented by using equipment that forest soils can support. Wintertime logging has been preferred, especially when the ground is frozen and snow-covered. Soil erosion is prevented on trails and truck roads by maintaining water bars. Both large and small coarse woody debris is maintained throughout the property, with no whole-tree harvesting. Salvage operations would be carried out following significant disturbances such as

hurricanes, severe local storms, fire, or insect/forest pathogen attacks causing significant tree mortality, with salvage retaining 1/3 of downed material as coarse woody debris, both large and small.

It is Bruce Spencer's wish that these practices be retained in the future, but he also understands that it is impossible to mandate systems into the future. The operations would be determined by the Town Forest Committee in conjunction with a licensed forester and with approval of the state.

21. How frequently is it anticipated that timber cutting will take place in the working forest? Are there times of year when timber cutting is more likely to take place? Less likely to take place?

See Question 20.

22. When timber cutting takes place, how large an area is the cutting operation likely to be?

This would be determined by the Town Forest Committee in conjunction with the forester and forest management plan.

23. What equipment will be used on the property during timber cutting operations?

See Question 20.

24. What problems have arisen in the past relating to timber cutting operations on the property?

Mr. Spencer reports that the first harvest in 1973 had a problem with logging roads in wetlands to the west of the present upper landing. Those areas have healed and all present roads avoid a reoccurrence.

25. When timber cutting is taking place, will residents be able to use any portion of the property for recreational purposes? If so, what precautions will be taken to maintain public safety?

What public access will be available will depend in large part on the location of the harvest. The property would be posted and maps provided to protect

the public. This procedure was successfully accomplished recently in East Leverett in an area of privately held land that provides public access.

26. It has been suggested that the working forest can serve an educational purpose for town residents. What are the educational purposes that the forest will provide and how will that be carried out?

See “Educational Use” under Benefits to the Town section of the Town Forest Exploratory Committee Report.

The Committee anticipates at least three broad categories of educational value represented by the Two Brothers Woodlot Town Forest: forestry education with a focus on forest management, technical skills, and silviculture; environmental education emphasizing forest ecology and natural history; and community history describing Native American and colonial settler occupation of this landscape to the present day. Students and community members of all ages and backgrounds could benefit from place-based education possible on a site like the Two Brothers Woodlot.

27. What is the status of properties adjacent to the Spencer parcel and are there any issues with one or more of those properties that could affect the acquisition of the property and/or impact the timber cutting or recreational use of the forest in the future?

There are eight abutters to the 147-acre property. The parcel on the western boundary is owned by W. D. Cowls, Inc. and is part of the Paul C. Jones Working Forest which is included with Cowls Brushy Mountain land in a conservation restriction. One of the parcels on the southern boundary is owned by Kenneth Brownell who lives in the Hannah Dudley house on Dudleyville Road. The other parcel on the south side is also owned by Cowls, a parcel that is not included in the Conservation Restriction. On the east side (south to north), there are parcels owned by Isaac Goldstein of Shutesbury, Crawford Moore LLC which owns the Morse Hill Recreation Center, Kenyon Fairey and Judith Smith of Shutesbury, and Brian and Rebecca Spear of North Leverett Road. On the north side, north of the Sawmill River, an abutting parcel is owned by Christopher Ertl of North Leverett Road.

Also on the north side is a parcel owned by Colin York of Northampton. This York house lot is accessed over the Sawmill River utilizing a legal right-of-way over the bridge and the lot is fully surrounded by the Spencer property. The Spencer property has a legal right-of-way through the York property that provides access to the property.

28. If the Spencer property becomes a town forest, would the property – or a portion of the property – be protected from residential or commercial development or would the land remain available for such uses should the Town deem it advisable in the future?

The Spencer property is protected from development through a Conservation Restriction in perpetuity. Regardless of who owns the property, development is and will be prohibited.

29. What are the criteria that will be applied to determine whether the working forest is producing the outcomes the town is anticipating?

The intentions of the gift of this property to the town are spelled out in this document. If the gift is accepted, the outcomes will be measured against the intention of the gift. A more specific criteria can be developed by the Town Forest Committee if deemed necessary.

30. How, and with what frequency, will performance against those criteria be measured?

The Town Forest Committee will report to the Select Board as needed, including measuring the performance of the Town Forest at meeting its goals.

Appendix B Grants and other resources

The Town Forest Exploratory Committee gathered information on potential sources of funding or other resources that could support a Town Forest.

[Forest Stewardship Program](#)

The DCR is seeking Municipalities who have a Forest Stewardship Plan and wish to take steps to implement their plan and involve their community.

These 72-25 matching reimbursement grants aid communities in putting their forest stewardship plans into practice and connect local citizens to all the benefits forests provide, including a local source of wood products, clean water, biodiversity, and wildlife habitat.

Contact Michael Downey, Forest Stewardship Program Service Forester, with questions.

978.368.0126 x129

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[Massachusetts Forest Alliance](#)

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Appendix C Rubric and scoring based on decision-making criteria

Below is a simplified rubric based on the criteria listed in the report.

Scoring guide:

- 0 points: Not applicable / Not available
- 1 point: Poor - Does not meet criterion satisfactorily
- 2 points: Fair - Partially meets criterion, with significant concerns
- 3 points: Good - Meets criterion, with minor concerns
- 4 points: Excellent - Fully meets criterion with no reservations

Decision guidelines:

- 18-24 points: Strongly consider accepting the donation. The benefits and alignment with town goals significantly outweigh any concerns.

- 12-17 points: Consider with caution. Some benefits are evident, but substantial concerns need addressing.
- 6-11 points: Proceed with significant caution. The proposal has notable issues that might outweigh benefits.
- 0-5 points: Recommend not accepting. The proposal's cons likely outweigh the pros significantly.

Notes:

- Committee members filled out the rubric individually based on available information and discussions over the course of the year.
- We aggregated the scores to facilitate group discussion, highlighting areas of consensus and concern.
- We used the scores as a starting point for discussion rather than the sole decision-making tool.

Criteria and scoring:

1. Conservation Values (0-4 points)

- Wildlife habitat, biodiversity, and biodiversity, ecosystem services.

Committee composite score: **4**

2. Compatibility with Town Goals (0-4 points)

- Alignment with the town's open space, recreation, and conservation plans or goals or historical approaches to public land.

Committee composite score: **4**

3. Management and Maintenance (0-4 points)

- Required effort and town's estimated capacity to manage the land effectively.

Committee composite score: **2**

4. Financial Implications and Opportunities (0-4 points)

- Costs of maintenance vs. potential for grants or timber harvesting revenue.

Committee composite score: **3**

5. Legal and Administrative Requirements (0-4 points)

- Consideration of any legal encumbrances such as the CR, compliance requirements, and ease of integration into town's portfolio (or ease of selling in future if necessary).

Committee composite score: **3**

6. Community Benefit (0-4 points)

- Projected long-term benefits for recreational opportunities, climate resilience, educational benefits, community status as valuing a diverse forest canopy managed lot.

Committee composite score: **4**

Total Score: **20 / 24**

Related Resources:

[Conservation Restriction for Two Brothers Woodlot](#)
[Forest Management Plan for Two Brothers Woodlot](#)

Appendix C

Town Forest Exploratory Committee charge:



TOWN OF LEVERETT
Massachusetts 01054

To: Town Forest Ad Hoc Committee
From: Selectboard
Date: November 7, 2023
RE: Charge to the Town Forest Ad Hoc Committee

The Town Forest Ad Hoc Committee was assembled to help the town decide if and under what parameters it should accept a donation of 147 acres of managed forest in North Leverett along with working capital to become an active working town forest. Specifically to be addressed include:

1. If accepted, how the town could use this property for educational and recreational purposes
2. If accepted, how and by whom should it be managed
3. If accepted, anticipated costs to the town for long and short term
4. If accepted, how the bridge and private house complicate the town's ownership
5. To the extent feasible, other questions posed by residents about the offer.