

BY B.J. ROCHE

PAY UP—AND SHUT UP?

Under one school of thought, second-homeowners are a major asset to the Massachusetts economy. They pay property taxes, constantly renovate those second



homes, and buy up all the heirloom tomatoes and artisanal goat cheese the natives can crank out, without requiring much in return in the way of services.

But there's another point of view: Part-time residents are colonizing weasels, driving up home values (and everyone's taxes)

by overpaying for properties and then destroying the character of a town with their Land Rovers, chi-chi wine stores, and walk-in Bikram yoga classes. When second-homeowners outnumber year-round residents, it can feel a bit *Upstairs, Downstairs*.

In response, many towns charge second-homeowners a personal property tax in addition to residential property taxes.

Condominium owners in Dennis, most of

whom are seasonal residents, faced a quadrupling of the fee for beach parking last summer. And the town of Dartmouth charges nonresidents more for waterway permits. The general thinking is that anyone who can afford two homes can probably spare the dough. Plus, where else are they going to go, Illinois?

But second-homeowners are beginning to push back. New Yorkers Thomas and Miriam Curnin, who say they've paid about \$150,000 in property taxes on the 120 acres and second home they own in Egremont, filed a lawsuit last year after residents denied them the opportunity to speak at a special town meeting. The couple lost their first round this spring in U.S. District Court, but they are appealing. Thomas Curnin notes that second-homeowners pay 46 percent of the town's property taxes, and that should entitle them to be heard.

"We think it's a denial of First Amendment," he says. "We're not asking to vote. We just want the right to speak."

BY POPULAR DEMAND

Citizens may not always exercise their right to vote, but they still like to know the opportunity is there. A Nantucket study committee proposed at April's town meeting to make the membership of three bodies—the planning board, historic district commission, and shellfish and advisory board—appointed rather than elected. One reason: Qualified people might be shying away from the rough and tumble of the electoral process.

"It can be hard," says town clerk Catherine Flanagan Stover. "People say things that might not be true, and [candidates] might not want to put themselves through that."

The appointment process would result in better qualified candidates and stronger accountability, argued the study committee. But critics, including current members of the planning board, said that the move would take power away from voters. A majority of town meeting voters agreed.

At the other end of the state,

town meeting voters in Williams-town had the opposite decision to make. In May, residents of the small college town narrowly approved the switch from a planning board that was appointed by selectmen to one that will be chosen by the voters. Anita Barker, who has served as both selectman and planning board member, made the proposal, saying that the vetting process for possible board members has not always been thorough, especially given concerns over the impact of new development

A BUMPER CROP

Bay State farmers are facing another tough year, thanks in part to increasing fuel and fertilizer costs. Things have gotten so bad for dairy farmers that Gov. Deval Patrick declared a state of emergency in the industry. And despite the growing popularity of farmers' markets, farmland acreage is declining.

But some see opportunities as more consumers worry about food safety and vow to eat "locally." That may be one reason for the sudden proliferation of agricultural commissions. Some 103 communities—including some unlikely locales, like bustling Newton—have established boards that advocate for farmers, help protect farmland, and work with town boards on agricultural issues. (See the complete list at massagcom.org.) In 2001, there were just six.

Scott Soares, acting commissioner of the state Department of Agricultural Resources, also attributes the increase to smart-growth regulations. Towns are recognizing the value of farming in maintaining open space, he says, and "AgComs" can represent agricultural interests in the development process.

Sure, everybody likes local milk and produce, but the new residents of a town may not be so enthusiastic about the fine bouquet of cow manure on a hayfield in spring, the sawmill running at five in the morning, or those roosters, which

tend to exercise their freedom of speech not just in the early morning, but All. Day. Long.

So the town of Rutland, in comparatively fast-growing Worcester County, last year established both an AgCom and a "right to farm" bylaw that gives farmers the legal rights to do their job, despite complaints from their new neighbors.

"It means you have to live with it," says Skip Clark, who owns the 150-acre Ketonen-Clark Farm, where he and his family raise cattle, hogs, and chickens.

Is all this interest too little, too late? According to the U.S. Agriculture Department, Worcester County lost about 12,000 acres of farmland between 1997 and 2002. (Plymouth County lost 22,000 acres, or about a quarter of its farmland, during the same period.) When Clark was

a kid, he says, there were almost 100 farms in Rutland; today there are fewer than 10.

But farmers are an optimistic lot—they have to be. And it helps to have a voice.

"Every time you turn around, there's a new house going in somewhere," he says.

"The AgCom is a good buffer between the farmer and the people who are going to complain."



on the character of the town. "There wasn't much discussion," she says. "We didn't feel the [selectmen] were doing it as fairly or as broadly as it should have been done."

Williamstown was the last municipality in Berkshire County with an appointed board, a body that the town formed in 1939. Not that there was much to do; there was after all, no zoning back then. In fact, compared to today's workload, the Williamstown board's first assignment seems positively quaint: to come up with a

map of the town.

The issue of how board members should be chosen came to a head, says Barker, after selectmen failed to re-appoint a planning board member who had opposed a controversial subdivision development. By a three-vote margin, 111-108, town meeting voters endorsed the change, and residents will elect a five-member board to staggered terms beginning next May.

That is, if they can find five people to run.