

**LONGFELLOW'S WAYSIDE INN
CONSERVATION RESTRICTION**

	NOBSCOT CR	COMPARE/CONTRAST
1. Program Zone/ Open Space Zone		-Would likely use three different categories: Active Use Zone Passive Use Zone Open Space Zone
2. Consideration - Installments - \$6.6M/2M		-Stated consideration in the CR is important -May consider debt exemption
3. NOBSCOT Reservation Mission Statement		-The Wayside Inn will have a similar mission that will be preserved and enhanced under the CR, including preservation of the Inn's campus, public access, and preservation of the Inn's buildings
4. Program Zone Allowed Uses - Existing Structures - Future Field Area - Total Building Area (28,000) - Camping - Temporary Structures - Utility/Roadway - Agricultural Activity - Forestry		-The Wayside Inn will want the flexibility to continue operation and use of the Inn's facilities, including all existing structures (temporary –tent; and permanent), as well as the flexibility to modify, reconstruct and expand upon facilities that further the Inn's use and function (meals, lodging, entertainment, educational, historic, agricultural and charitable purposes) all within the historic context of the Inn's mission statement, such allowed uses to include the ancillary needs for utility, infrastructure and landscape upkeep.
5. Public Access Mass Bay Circuit - No fees for use - Limited closure - Still subject to Rules and Regs		-No exiting public access trails currently exist
6. Public Access Other - Restricted - Rules and Regulations - Fees		-Public access will be afforded as in the past -Subject to Rules and Regs, at the discretion of the Innkeeper -Fees may be charged for large events -Restrictions are imposed for special events and in and around Inn buildings
7. Notice and Approval - SVT/Town - 45 Days - Reasonable Determination		-We would likely seek to replicate this model -Discuss roles/history of Town/SVT joint venture -Discuss endowment for stewardship fee
8. Dispute Resolution/Mediation		-We would likely replicate ADR/Mediation provisions

LONGFELLOW'S WAYSIDE INN CONSERVATION RESTRICTION OUTLINE

PURPOSE:

This Conservation Restriction is granted pursuant to Section 31 of Chapter 184 of the Massachusetts General Laws. The purposes of this Conservation Restriction are to assure that the Restricted Premises will be retained in perpetuity in accordance with the Longfellow's Wayside Inn Charitable Mission Statement, which includes the preservation of the Longfellow Inn Historic Site, including its buildings, facilities, archives, grounds and programs, the preservation of agricultural and historic fields, and the preservation of the natural, scenic, and open condition for fish and wildlife conservation, natural habitat protection, passive recreational uses, and other conservation uses consistent with the spirit and intent of Massachusetts General Laws Chapter 40 Section 8c and Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, to prevent any use of the Restricted Premises that will significantly impair or interfere with the conservation values thereof, and to allow public access for the enjoyment of the open space resources of the Restricted Premises as specifically provided for herein, and to allow the continuation of the Grantor's programs as set forth below, and uses specifically allowed herein.

PUBLIC ACCESS:

Public access will continue to be provided across the Restricted Parcel in perpetuity. Such access shall be at the discretion and consent of the Grantor, acknowledging the intent to afford access to a variety of groups and organizations for a wide variety of historical, agricultural, educational and passive recreational activities. Access shall at all times be subject to the reasonable rules and regulations of the Innkeeper, including hours of use, restrictions resulting from Inn events and functions, seasonal closing of areas deemed hazardous or sensitive, and limitations on activities that may be deemed a nuisance or in contravention of the Inn's Charitable Mission Statement. While access shall be provided across the entirety of the Restricted Premises, access to existing buildings and structures, and access to areas within the defined Active Use and Passive Use Areas, may be subject to more frequent closures and/or restrictions.

DEFINED AREAS:

Active Use Areas: These areas are defined on the Site Plan attached hereto and incorporated herein and include those areas that contain existing buildings, structures and active uses associated with the historic lodging, restaurant, function space, and programming areas of the Inn, together with their ancillary uses and improvements.

Passive Use Areas: These areas are defined on the Site Plan and include those areas currently or historically maintained for agricultural activities, animal husbandry, and historic or cultural events, including, but not limited to, the Annual Muster of Fife and Drum, historic re-enactments, cultural fairs, parade grounds, and other such historic, educational and recreational events.

Open Space Areas: These areas are defined on the Site Plan and include those areas currently in their natural state. Such areas will remain open to passive historic, educational and passive recreational use, but shall remain in their natural condition, with limited exception for the creation, maintenance of operation of trails, along with limited landscaping and forestry practices in accordance with best management practices.