



Mayor Joshua Garcia

Office of Planning & Economic Development

City of Holyoke

Aaron Vega, Director
RECEIVED

December 1, 2021

DEC 08 2021

Councilor Bartley,
DGR, Holyoke City Hall
Holyoke, Massachusetts 01040
C/o Assistant to the City Council

**Holyoke City Clerk's
Holyoke, MA**

Re: Item 11: 11-16-21 From Johnson, Sclafani & Moriarty letter re: Notice of Intent to sell, Lot 1 and Lot 2 on Mountain Road, Holyoke, MA Pursuant to Massachusetts General Laws Chapter 61A, Section 14 Portion of 50 Mountain Rd; Assessors Parcel ID 206-00-065.

Dear Chairman Bartley and Committee Members:

On November 23, 2021 the Planning Board reviewed this Notice of Intent to sell Lots 1 and 2, which are portions of an approximately 34-acre parcel located at 50 Mountain Rd.

This parcel is currently enrolled in Massachusetts' Chapter 61A program, which offers significant tax advantages in exchange for maintaining agricultural property as such. Because the intent of the program is to preserve agricultural property, it builds in certain protections for municipalities if an owner of Ch. 61A-enrolled property within it seeks to convert that property to another use, or to sell it.

Among these protections is a 120 day Right of First Refusal to acquire the property. This provision allows Holyoke to either match the bona fide offer for these parcels set forth in the Notice, or to transfer its right to an eligible conservation organization.

The Planning Board has found that Holyoke has a substantial interest in the maintenance of this entire parcel as agricultural land. We therefore request that rather than taking this matter up immediately, the City Council make use of the full 120-day notice period to allow for a full examination and exploration of the alternatives available to both the City and the property owner.

1. Protecting quality farmland in the Rock Valley area is a declared priority of the City, set forth in its 2018 Open Space and Recreation Plan. This property sits in a particularly strategic location: it forms a natural boundary between the residential development that has taken place on the western side of the road and the working farmland to the east. While these parcels are only two acres, they seem destined for residential development if Holyoke cannot find a way to exercise its option, and allowing residential development to cross Mountain Road risks further incursion into an area that the City wishes to hold in agricultural use.
2. This proposed sale creates an opportunity to discuss the future of the entire parcel with the property owner. We understand that there are a number of programs that could help finance more permanent agricultural status for the property, such as the Agricultural Preservation Restriction Program. Exploring these options will take time, and the 120-day notice period is designed to give the City that time.

3. Similarly, the notice period will give the City the necessary time to contact local land trusts and explore their interest, if any, what options might be available to the City by working with them, and what their timelines would be like.

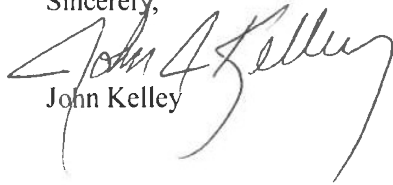
4. Critically, no decision about the fate of this property should be made without input from abutters and neighbors. Rock Valley is a historic farming community, and any further conversion of farmland to residence will be important to everyone in the affected area. The notice period will give the City time to hear from the affected neighborhood itself.

Again, this is a particularly sensitive location, and taking even a few acres of land out of agricultural protection here is likely to have outsize effects on the character of the area, on development pressure on Holyoke's remaining agricultural land, and thus on critically important Holyoke priorities and goals for the future. We believe that with time and attention, it will be possible to reach a resolution that will protect both the owner's interest in realizing the value of the land and the City's strong interest in keeping its remaining agricultural land as such.

We therefore urge the Council to take the time that Massachusetts law gives us, and make no decision about whether to exercise Holyoke's statutory right of first refusal until all options for purchase of the property, transfer of our right of first refusal, or other resolution can be explored, and so that all affected Holyoke citizens can be heard.

If we can be of any further assistance on this matter, please feel free to reach out to us.

Sincerely,



John Kelley