

M.G.L. c. 3, § 5A(a) ALTERNATIVES ANALYSIS

In accordance with the Guidance on Public Lands Preservation Act Implementation issued in February 2023 by the Executive Office of Energy and Environmental Affairs, the City of North Adams provides the following alternatives analysis as required by M.G.L. c. 3, § 5A(a) (also known as the Public Lands Preservation Act or PLPA) pertaining to the change of use of certain land within Kemp Park in the City of North Adams. The alternatives analysis is intended to demonstrate that all other options to avoid or minimize the disposition or change in use of public land that is subject to Article 97 of the Amendments to the Massachusetts Constitution (“Article 97”) have been explored and no feasible or substantially equivalent alternative exist.

(i) Explain the proposed Article 97 Action and identify the public purpose it will serve.

Through a competitive RFP process, the City selected Massachusetts Museum of Contemporary Art as the preferred developer for the acquisition and redevelopment of the former Sullivan School property. Primary access to the site is provided by an existing paved driveway that traverses a portion of adjacent municipal parkland within Kemp Park, which is designated as protected open space.

To ensure continued and lawful access to the property, the City proposes to grant an easement to Massachusetts Museum of Contemporary Art over the existing driveway corridor within Kemp Park. While the underlying land will remain under municipal ownership and the physical use of the driveway will not materially change, the formalization of access rights to serve a non-park use constitutes a disposition of an interest in land protected under Article 97 of the Massachusetts Constitution. Accordingly, this action triggers the procedural and approval requirements of Article 97.

To provide appropriate mitigation for the proposed easement within Kemp Park, the City proposes to place a parcel on Miner Road into permanent protected status as Article 97 open space, thereby ensuring a net gain in permanently protected recreational land within the municipal system.

Public Purpose and Community Benefit

The proposed acquisition and reuse of the Sullivan School property by Massachusetts Museum of Contemporary Art serves a clear public purpose by advancing cultural, economic, and community development goals in the City of North Adams. As a globally recognized cultural institution and a primary driver of the regional economy, Mass MoCA plays a central role in attracting visitors, supporting local businesses, and reinforcing the City’s identity as a hub for arts and innovation. Enabling the continued expansion and functional use of its campus—including the adaptive reuse of the former Sullivan School—represents a strategic investment in the City’s long-term vitality.

A key component of the proposed project is the creation of artist housing and loft-style residential units within the existing structure. This element directly supports the local creative economy by providing space for artists to live and work in close proximity to one of the country’s leading contemporary art institutions. By increasing the availability of artist-oriented housing, the project helps strengthen North Adams’ ability to attract and retain creative talent, foster year-round activity, and deepen the integration between arts, community life, and the local economy. The activation of the site through residential use also ensures that the property remains occupied, maintained, and contributing positively to the surrounding neighborhood.

In addition, the project supports broader public benefits, including increased visitation, expanded cultural programming opportunities, and continued institutional investment in North Adams. The requested easement over a limited portion of Kemp Park is necessary to provide safe and functional access to the site and is constrained to an existing driveway corridor. This limited impact can be appropriately mitigated and is outweighed by the substantial public benefits associated with the project, including economic growth, cultural enrichment, and the productive reuse of a prominent and currently underutilized property.

Massachusetts Museum of Contemporary Art has indicated an intent to retain public access to the existing walking paths on the property, where feasible. As the project moves forward, opportunities will be considered to maintain pedestrian connectivity and preserve the informal recreational use of these pathways, consistent with site needs and operational considerations. This approach reflects an effort to balance redevelopment objectives with the broader goals of open space preservation and community use.

The 35,384 square feet of replacement land located at Miner Street satisfies the requirements of M.G.L. c. 3, § 5A because it is not subject to Article 97 and is of equal natural resource value as the parkland for which a change of use is sought.

Based on appraisals obtained by the Town, the replacement land is of greater area and monetary value than the park land for which a change of use is sought. The 35,284 square feet of replacement land is valued at \$35,000.00, whereas the park land that will be replaced contains 20,081 square feet of area and is valued at \$19,000.00.

The proposed replacement land, located adjacent to the Hoosic River Flood Chutes, is well suited for recreational use and will be permanently dedicated as open space pursuant to Article 97. Its proximity to the river presents a meaningful opportunity to expand public access to a natural resource that is currently underutilized. In collaboration with Hoosic River Revival, the City has begun exploring improvements to the area, including the potential development of a walking path that would provide safe, continuous access along the river corridor. These enhancements would support passive recreation, strengthen connectivity, and contribute to broader efforts to activate and revitalize the Hoosic River as a community asset.

ii) Identify alternatives considered.

The alternatives that were considered are as follows:

- a. Swapping a portion of Summit Road that is adjacent to Kemp Park;
- b. Swapping for the dedication of the Veterans Memorial Park as permanently protected space;
- or
- c. Swapping for other currently unprotected open space in the West End of the City along the Hoosic River

iii) Describe why each alternative not selected is not feasible or substantially equivalent to the proposed Article 97 Action.

- a. Offsetting the Kemp Park parcel with land along Summit Road was considered but ultimately rejected. While Summit Road is currently underutilized, the anticipated redevelopment of the

Sullivan School property will significantly increase traffic and make the roadway an important component of site access, including for deliveries and emergency response. Preserving this corridor is therefore necessary to ensure adequate fire access, safe circulation, and long-term operational flexibility.

b. Veterans Memorial Park was also evaluated as a potential offset site. Although it is not currently designated as Article 97-protected land, it functions as an active public park and is an important community open space. Its location within a complex and high-traffic intersection raises additional concern that future roadway or safety improvements could require partial use of the site, potentially necessitating a future Article 97 disposition and undermining its long-term suitability as mitigation land.

c. Additional parcels along the Hoosic River in the City's West End were reviewed for potential recreational offset. However, steep and constrained topography significantly limits accessibility and usability. Given these physical constraints, these parcels are unlikely to support meaningful passive or active recreation and therefore do not provide comparable public benefit or functional equivalency as replacement open space.