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DETERMINATION OF NATURAL RESOURCE VALUE

PROJECT: Proposed Disposition of Land within Kemp Park in the City of North Adams
MUNICIPALITY: North Adams
EEA FILE NUMBER: A97_034_209
PROJECT PROPONENT: City of North Adams
DATE: July 20, 2026

Pursuant to M.G.L. c. 3, § 5A, in order to file a petition with the legislature to use for another purpose or otherwise dispose of land or an interest in land subject to Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts (“Article 97”), a public entity in most cases must, *inter alia*, “identify replacement land or an interest in land, which is not already subject to said Article XCVII, in a comparable location and *that is of equal or greater natural resource value, as determined by the secretary of energy and environmental affairs . . .*” (emphasis added), unless an exception applies. This document provides the determination of natural resource value as to the above-referenced proposal (“Project”).

This determination constitutes solely a determination of natural resource value pursuant to M.G.L. c. 3, § 5A(a)(ii) and does not indicate that the Secretary of Energy and Environmental Affairs takes any position on the Project or on whether it complies with the Executive Office of Energy and Environmental Affairs (“EEA”) Article 97 Land Disposition Policy. This determination reflects the independent analysis of EEA for advisory purposes and does not create any right, benefit, or duty, substantive or procedural, enforceable at law or equity by any party in any judicial or administrative matter.

Project Description:

The Project involves the conveyance of a permanent easement of approximately 20,080 square feet over an existing driveway within Kemp Park to provide lawful access to the former Sullivan School property, which is being redeveloped by the Massachusetts Museum of Contemporary Art (Mass MoCA). The easement is intended to facilitate the reuse of the former school as artist housing and loft-style residential units. The easement will allow access to the adjacent property but will not impact existing access to or use of the park.

The City proposes to transfer a 35,384 square foot parcel on Miner Road, currently held for general municipal purposes, to the City's Conservation Commission to serve as Replacement Land for the Project.

The Project is described in more detail in the Alternatives Analysis and Supplemental Materials which are posted on EEA's website¹.

Information Considered:

This determination is based on a review of the Alternatives Analysis, other materials received by EEA in relation to the project, and EEA's independent analysis. EEA's analysis also included use of GIS and EEA's Article 97 Natural Resource Site Evaluation Tool ("NRSET") to characterize the Natural Resource Value of the Impacted Land and Replacement Land.

Characterization of Impacted Land:

The Impacted Land consists of a 20,080 square foot permanent easement over an existing paved driveway that runs through Kemp Park. Kemp Park contains a baseball field, playground and grassy open space, all of which are not impacted by the proposed easement.

Characterization of Replacement Land:

The Replacement Land consists of a 35,384 square foot parcel along the Hoosac River which was originally taken by the City for street relocation purposes. The Replacement Land is mostly forested, including areas suitable for wildlife habitat such as Prime Forest land. The parcel is within the riparian zone of the Hoosac River and the 100-year flood zone. The city has expressed interest in developing a walking path on the Replacement Land for passive recreation and to provide access to the river.

Determination:

The Replacement Land is of equal or greater Natural Resource Value as compared to the Impacted Land. The Replacement Land protects a larger area as compared to the Impacted Land and permanently protects Prime Forest land with the potential to provide passive recreational use. The Impacted land currently provides access to the former Sullivan School property, and the proposed easement will formalize that existing use without changing the physical character or recreational function of the park.

¹ [https://www.mass.gov/info-details/article-97-an-act-preserving-open-space-in-the-commonwealth-mgl-c-3-ss-5a#:~:text=97\)%20establishes%20a%20right%20to,or%20easements%20subject%20to%20Art.](https://www.mass.gov/info-details/article-97-an-act-preserving-open-space-in-the-commonwealth-mgl-c-3-ss-5a#:~:text=97)%20establishes%20a%20right%20to,or%20easements%20subject%20to%20Art.)