

## SMART PUBLIC COMMENT Changes Made to 225 CMR 20.00

Edward Shyloski <05ecsjret@gmail.com>

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To: SMART, DOER (ENE) <doer.smart@mass.gov>

Cc: Nancy Shyloski <nshylo20@gmail.com>; barbara shyloski <luckyredlady@hotmail.com>; Gayle Demary <gdemary@gogtt.net>; Jo-Ann Marie Shyloski <jshylo@gmail.com>

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Our Shyloski family owns 3 parcels in Granby, MA that have been under Chapter 61 since 1990. Specifically, they include two woodlands which have recently been timber harvested and another of open space grassland and timber, i.e., 61, 49, and 31 acres.

**The SMART Land Use legislation proposed below if enacted amounts to a State of Massachusetts land taking because owners will not have any options to convert their property to other uses. Further, this legislation takes rights away not only from owners but also from towns and cities themselves to support or deny development.** If the townspeople support or deny a moratorium or allow or limit specific areas to be developed, that is enough, and it is not necessary to change Chapter 61. **In short, the proposed state "Ineligible Land Use" legislation denies due process at the personal and the community level and it amounts to excessive state government interference in local regulation.**

Given the present Chapter 61 requirements to pay back taxes or the alternative to allow Chapter 61 to expire along with its present waiting period of years before any development, current Chapter 61 restrictions are enough.

**As a taxpayer, we protest this legislation because it denies our constitutional rights as a land property owner.** If this legislation passes, present day property values may likely plummet which will also have consequences to personal ownership and town governments.

Sincerely,

Edward C. Shyloski Jr