

# Partnering with Landowners

## Introduction

Conservation and recreation open space is an important part of Northampton's legacy. Our community is justifiably famous for its wonderful downtown, its community serving villages, and its open space and recreation.

Northampton has built a conservation legacy with a two-step approach: Encourage residential development in sustainable locations; urban neighborhoods, walking distance of commercial and mixed use villages and centers, and within open space residential projects (clusters). This helps create enough inventory to avoid artificially inflating housing prices and keep our tax rolls strong. Regulatory actions and investment (infrastructure grants) have made this a reality.

Preserving open space for conservation and recreation to serve the community and protect our legacy. 25% of the community is now permanently protected open space; for wildlife habitat, agriculture, and recreation. Community support, the Community Preservation Act, dedicated staff and boards, and great landowner partners have made this a success.

If you want to join us, please contact Northampton Planning & Sustainability and we can work with you to meet your needs.

wfeiden@northamptonma.gov



Planning & Sustainability  
210 Main St., City Hall  
Northampton, MA 01060

## Conservation Northampton

Northampton Planning & Sustainability

## The City can help:

Many of the City's open space deals are direct financial transactions that serve the needs of buyer and seller. Many of the best open space projects, however, happened because of the dedication of landowners who have a vision and are willing to help.

These are their stories.



When evaluating land, the City always works with the seller to consider what uses might be appropriate for the land in addition to open space. Projects have included market rate housing, multi-use trails, recreation, and other uses. On several projects, the City wanted to create one or more affordable housing, but the opportunities were too limited to attract most affordable housing developers.

The Pioneer Valley Habit for Humanity has been willing to step forward on several of these projects. In return for a lot for affordable housing, with that lot typically funded by federal Community Development Block Grants for Northampton Community Preservation Act funds, Pioneer Valley Habit has taken on the burden of creating home ownership for very low income families.

Since zoning laws allow virtually no development rights, most of the meadows is protected from ownership by the City, the state, the federal government, and Massachusetts Audubon Society. However, the majority of the meadows was privately owned with little protection against misuse. Charles Jasinski provided the first agriculture preservation restriction in the meadows, providing a guarantee of permanent protection of privately owned working farmland.

When Charles Jasinski's father, William Jasinski, died, Charles inherited about 100 acres of farmland that supports him as a full-time farmer. Charles decided that he wanted to create an open space legacy and offered to donate a portion of that land to Sheldon Field Recreation Area. However he still needed the farmland to continue support his farming operation.

Charles Jasinski worked with the City of Northampton to make a deal whereby he could continue to farm the land until his planned retirement, but the land would go to the City and be guaranteed for future recreation uses. The transaction was confidence building, and Charles agreed to acquire a small piece of surplus farmland from the city and place an agriculture preservation restriction on all of his farmland to build a permanent agricultural legacy and get some immediate income.

The Connecticut River is an extremely important part of the City's history and one of its biggest resources. But for many years, Northampton had less-than-ideal public river access for human powered boats. When the City and Northampton Community Rowing approached Lane Construction and asked them to donate land for a Connecticut River Greenway riverfront park for recreation and conservation purposes, Lane Construction loved the idea of partnering, but were not in a position to donate the property.

We were able to work out an agreement where the City obtained all the permits that Lane Construction needed to redevelop their property. This was a very small marginal cost to the City, but it added to the value of Lane Construction's remaining land. Their comfort level of their future options increased, allowing them to donate both conservation and recreation land to the City. Lane Construction's donation made this access possible, and dramatically increased non-motorized public access to the river.

Armand LaPalme approached the City because he wanted to create an open space legacy of the forest and agriculture land he had husbanded for many decades. However, that land needed to be part of his retirement formula. Mr. LaPalme discussed the project with his wife and children, and they were all amazingly supportive of his vision and the eventual outcome. Having a cheering section always helps.

The City was able to work with the LaPalmes to carve out the LaPalme's home and house lot to create two new building lots so that they become ecologically, scenically, and agriculturally important sections of the property. The City was also able to find a builder for the LaPalmes who paid top dollar for the lots, to purchase the rest of the property at a discount and still get immediate income from the majority value of the property. The LaPalmes are maintaining farming income and the rights for cord wood for a number of years. There was no Mineral Hills Conservation Area when Mr. LaPalme approached the city. His vision helped create the 85-acre LaPalme Section, which grew into a 1,000 acre Mineral Hills Conservation Area.



## Northampton Planning & Sustainability can help

**Our goal is to make sure that at signing, at closing, and decades after closing, the property owner and other partners are happy and proud of what they accomplished, and that all of their needs have been met.**



When Carolyn Gray purchased her dream house lot in Northampton, she inherited a shared concern with the City about adjacent land that is ecologically, agriculturally, and scenically critical. She discussed with the City about various protection options and within their first year of ownership, Carolyn Gray and George Peppard donated a conservation restriction on some of their back land to the City. When a new parcel came on the market, the City worked with them to help their first refusal on the land, to place a permanent agriculture preservation restriction on the property, and to sell the residual land to Carolyn and George. They also donated money to the City to cover all costs, enabling the City to meet its goal of protecting valuable farmland and the scenic view and partnering with IRS.

What had been a small Parsons Brook Conservation Area and restrictions suddenly doubled and size and became the anchor for a key conservation story.

### Frequently Asked Questions:

- What rights, if any, does the landowner want to retain on the property (e.g. right to farm, cut timber)?**
- What is the right time for a transaction (now, in the near future, as part of an eventual estate)?**
- Does the landowner or donor have specific limitations on future management?**
- What are the conservation, recreation, and agricultural values of the land?**
- What is the financial situation and needs of the property owner or donor?**
- What are the needs and wishes of the landowner's family?**
- What are the landowner or donor's goals for the land?**
- What are the unique features of the property?**

### Let us know how to help.

**We maintain active partnerships with many other groups who have been incredible partners including Regional non-profit, Local non-profit, Recreation State Government, and Recreation, Division of Fisheries & Wildlife Partners:**

**Kestrel Land Trust, Massachusetts Audubon Society, and The Trustees of Reservations, Broad Brook Coalition, Meadows City Conservation Coalition, and Friends of Northampton, Dept. of Agriculture Resources, Dept. of Conservation and Recreation, Division of Fisheries & Wildlife, and Division of Conservation Services, and US Fish and Wildlife Service**

Doug Kohl was very responsible and well respected developer. He also had a passion for open space, therefore he partnered with the City on several projects. He owned land that he had planned to build a housing project on, but with the City building its Mineral Hills Conservation Area, he decided to help convert his land to conservation space.

First, he donated a pedestrian right-of-way across his property to link two city-owned conservation parcels thereby make the City eligible for more grant funding. Later he decided to sell his land to the City, but Doug had a partner who was not in a position to bargain sell the property. Doug and the City reached an agreement whereby the City paid the full market price for the land and Doug made a \$50,000 tax deductible contribution the Northampton Conservation Endowment Fund at the Community Foundation of Western Massachusetts to help the City build a permanent endowment for all of its conservation land. Doug Kohl passed at much too early an age, but his work will forever be remembered and honored.

Hold fiduciary duty to maintaining open space and conservation

Meet financial needs by creative support and maintain farmland income

Make donations financially viable for donors

Address landowners' needs and challenges while supporting open space

## Planning & Sustainability is a different kind of partner

We work with the property owner to build a deal, whether it is an immediate deal or an eventual estate that works for them, the City, and any of a number of partners we bring into the deal.

First, we listen to what the property owner and donors want to achieve. There is no formula for how land preservation deals have to work. We customize our approach to meet landowners' needs, short term income, legacy, long-term use of the land, bringing in the IRS as a partner, etc. Whether the vision is conservation, recreation, limited development and whether it is a traditional approach (sell the land or interests in the land) or a non-traditional approach (retaining some rights to the land from timber rights to burial rights), we want to work with you and identify and support your needs and your vision.

We help envision future needs and resources to make a complete package ensures a permanent legacy.

Work with a landowner on a vision for their property and put together a limited development deal when needed

Protect the forest, farm land, recreation land, and family legacies

Find partners to solve critical needs and landowner priorities