HOUSE DOCKET, NO. 1390 FILED ON: 1/16/2013

HOUSE . . . . . No. 777

[LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

Sarah K. Peake and Daniel A. Wolf

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to the town of Chatham conservation commission and land within the town of Harwich.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Sarah K. Peake	*4th Barnstable*
Daniel A. Wolf	*Cape and Islands*

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HOUSE . . . . . No. 777

By Representative Peake of Provincetown and Senator Wolf, a joint petition (accompanied by bill, House, No. 777) of Sarah K. Peake and Daniel A. Wolf (by vote of the town of Chatham) that said town be exempt from certain regulations of the Executive Office of Environmental Affairs relative to the purchase of conservation land located in the town of Harwich. Environment, Natural Resources and Agriculture. [Local Approval Received.]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *3734* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act relative to the town of Chatham conservation commission and land within the town of Harwich.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Notwithstanding any general or special law to the contrary, the town of Chatham shall be exempt from the provisions of Chapter 40, Section 8C of the Massachusetts General Laws and Title 301 of the Code of Massachusetts Regulations: Executive Office of Environmental Affairs, specifically 301 CMR 5.00 as they may relate to the Chatham Conservation Commission acquiring in the name of the Town of Chatham by option, purchase, lease or otherwise the fee in such land or water rights, conservation restrictions, easements or other contractual rights including conveyances on conditions or with limitations or reversions, as may be necessary to acquire, maintain, improve, protect, limit the future use of or otherwise conserve and properly utilize open spaces in land and water areas outside of Town, allowing it to manage and control the same associated with the purchase of abutting land within the Town of Harwich, consisting of 18.69 acres, more or less, and being all of the land identified on Town of Harwich Assessor's Map 64 as parcels C-4, C-5, and C-7. The parcels are more particularly shown on plans recorded in the Barnstable Registry of Deeds in, Plan Book 588 Page 86, Plan Book 588 Page 70, and Plan Book 628 Page 84. Including a right of way in Haskell Lane and a 50' wide right of way from Haskell Lane as shown on Plan Book 432 Page 33 and described in the deed recorded in Book 15225 Page 266. Further including a strip of land, varying from ten

(10) to twenty (20) feet wide, more or less, located between said Plan Book 628 Page 84 and the Town Line between Harwich and Chatham.

Section 2. The town of Chatham shall be exempt from the provisions of Chapter 59, Section 5F of the Massachusetts General Laws and shall not be obligated to make Harwich any payment in lieu of taxes associated with the purchase of said abutting land.