

HOUSE No. 4335

The Commonwealth of Massachusetts

PRESENTED BY:

Kate Hogan and James B. Eldridge

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 adoption of the accompanying bill:

AN ACT AUTHORIZING THE TOWN OF MAYNARD TO TEMPORARILY TRANSFER A CERTAIN PARCEL OF RECREATION LAND FOR A LARGE SCALE PHOTOVOLTAIC SYSTEM..

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kate Hogan</i>	<i>3rd Middlesex</i>	<i>7/13/2012</i>
<i>James B. Eldridge</i>		<i>7/16/2012</i>

HOUSE No. 4335

By Representative Hogan of Stow and Senator Eldridge, a joint petition (accompanied by bill, House, No. 4335) of Kate Hogan and James B. Eldridge (by vote of the town) that the town of Maynard be authorized to reclassify and lease a certain parcel of land in said town for the construction of a solar powered generation facility. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

AN ACT AUTHORIZING THE TOWN OF MAYNARD TO TEMPORARILY TRANSFER A CERTAIN PARCEL OF RECREATION LAND FOR A LARGE SCALE PHOTOVOLTAIC SYSTEM..

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

1 SECTION 1. The town of Maynard may temporarily transfer the care, custody,
2 management and control of a certain 10 acre +/- portion of a parcel of land located off Waltham
3 street which is a capped landfill totaling 13.1462 +/- acres in said town from the board of
4 selectmen where it is held as a park area for public recreation, to a large scale photovoltaic
5 facility developer for general municipal purposes. The board of selectmen acquired the
6 13.1462+/- acre parcel by an order of taking dated June 10, 1986 and recorded in the Middlesex
7 county registry of deeds in book 17090, page 516 for the purpose of closing the landfill and
8 maintaining park land. The board of selectmen, acting on behalf of the town of Maynard, may
9 temporarily lease said parcel to a large scale photovoltaic facility developer for a period not to
10 exceed 30 years for the purpose of constructing a large scale photovoltaic facility which will
11 provide the town with electrical power.

12 SECTION 2. In consideration for the temporary lease of the 10 +/- acres, and to ensure
13 no permanent net loss of land protected for conservation purposes, the large scale photovoltaic
14 facility developer shall construct an off leash dog park on 16,000 square feet, more or less, may
15 only fence in 6 acres encompassing the actual photovoltaic facility and shall, at the end of the
16 term of the temporary lease, provide access to and improve the top 6 acres of the top of the
17 landfill for passive recreational opportunities which said access and improvements do not
18 currently exist.

19 SECTION 3. The board of selectmen may enter into any agreements and execute any
20 and all instruments necessary on behalf of the town to effectuate such transfer as set forth in
21 sections 1 and 2 of this act.

22 SECTION 4. This act shall take effect upon its passage.