

**HOUSE . . . . . No. 3474**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Kate Hogan*

*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 relative to a conservation restriction in the town of Stow.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kate Hogan</i>	<i>3rd Middlesex</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	

**HOUSE . . . . . No. 3474**

By Ms. Hogan of Stow, a petition of Kate Hogan and James B. Eldridge for legislation to authorize the town of Stow to amend a certain conservation restriction to allow for the construction of a water supply well. Municipalities and Regional Government.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act relative to a conservation restriction in the town of Stow.

*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 conservation commission and the board of selectmen of the town of  
2 Stow may amend as provided for in Section 2 below, a certain conservation restriction granted to  
3 the town of Stow by Peters Pond Realty Trust on October 15, 1996, and recorded at the  
4 Middlesex registry of deeds in book 26767 at pages 184-189.

5 SECTION 2. Approval is granted to amend Section III B (Prohibited Acts and Uses,  
6 Exceptions Thereto and Permitted Use) of said conservation restriction to add as a NEW  
7 PERMITTED USE the development of a water supply well and related activities, by ADDING  
8 NEW LANGUAGE AS FOLLOWS:

9 “III. B. 4. The construction of one water supply well and any related activities including,  
10 but not limited to, pump testing, construction of a small structure to protect the wellhead,  
11 construction of a unpaved access road to the wellhead, fencing, and underground or aboveground  
12 utilities to serve the well, provided that the construction shall be completed in a manner which is  
13 designed to maintain the existing and planned trail connections to adjacent parcels.”

14 SECTION 3. The conservation commission and the board of selectmen or their designees  
15 of the town of Stow shall take all actions they deem necessary or advisable in their sole  
16 discretion to carry out the amendment of the conservation restriction and acceptance of a revised  
17 conservation restriction as set forth in sections 1 and 2 including, without limitation, the  
18 execution of all documents relative thereto.

19 END OF BILL TEXT

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The following letter was received from the Secretary of the Commonwealth on May 17, 2013.

May 16, 2013

HAND DELIVERED

Steven T. James  
Clerk of the House of Representatives  
State House, Room 145  
Boston, MA 02133

RE: Petition of Kate Hogan and James B. Eldridge (subject to Joint Rules 7B and 9) for legislation to authorize the town of Stow to amend a certain conservation restriction to allow for the construction of a water supply well.

Dear Mr. James:

Enclosed please find the above-referenced petition and bill. Proof of notice has been filed with this office in connection with the above-referenced petition as required by Massachusetts General Laws Chapter 3 § 5. Publication was made in a newspaper of general circulation.

Respectfully,  
William F. Galvin  
WFG/prg  
Enclosure