

**HOUSE . . . . . No. 2744**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Denise C. Garlick and Michael F. Rush*

*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 providing for a highway buffer zone in the town of Needham.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>	<i>1/14/2015</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>	<i>1/14/2015</i>
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>1/20/2015</i>

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By Representative Garlick of Needham and Senator Rush, a joint petition (accompanied by bill, House, No. 2744) of Denise C. Garlick, Michael F. Rush and Richard J. Ross for legislation to authorize the Department of Transportation to acquire certain parcels of land in the town of Needham to be used for a highway buffer zone. State Administration and Regulatory Oversight.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 4156 OF 2013-2014.]

The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act providing for a highway buffer zone in the town of Needham.

*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 department of transportation is hereby authorized to acquire by  
2 purchase, eminent domain pursuant to chapter 79 of the General Laws, or otherwise, 2 parcels of  
3 land in the town of Needham described in section 2 for the purposes of creating a highway buffer  
4 zone. The exact location and boundaries of the parcels to be conveyed shall be determined by the  
5 secretary after completion of a survey. Consideration for said conveyance shall be the full and  
6 fair market value of said parcel as determined by the commissioner of the division of capital  
7 asset management and maintenance pursuant to 1 or more independent professional appraisals.

8           SECTION 2. The description of the parcels is as follows:

9 Parcel one is a parcel of land beginning at the point of intersection of the southerly  
10 sideline of Hardy Street (an Ancient Town Way) and the westerly sideline of the State  
11 Circumferential Route 128 Highway (State Layout 1953) right-of-way;

12 Thence heading westerly along the said southerly sideline of Hardy Street to the point of  
13 intersection of the said southerly sideline of Hardy Street and a line 150 feet from and parallel to  
14 the westerly edge of the southbound pavement of Interstate 95/Route 128 as defined on a plan  
15 entitled "Massachusetts Department of Transportation, Highway Division, Plan & Profiles of I-  
16 95/93 (Route 128) TIP - Bridge V in the Towns of Needham - Wellesley, Norfolk County",  
17 prepared by the department of transportation, dated April 13, 2013;

18 Thence turning and running southerly along the line 150 feet from and parallel to the  
19 westerly edge of the southbound pavement as defined on said plan to the point of intersection of  
20 said parallel line and the northwesterly side lot line of land N/F Greendale Avenue Worship  
21 Center, 754 Greendale Avenue, Assessor's Map 18 Parcel 41 in the town of Needham;

22 Thence turning and running easterly along said northwesterly side lot line to the point of  
23 intersection of said northwesterly side lot line and the westerly sideline of Hardy Street, an  
24 Ancient Town Way abandoned in 1988;

25 Thence turning and running northerly along said westerly sideline of Hardy Street to the  
26 point of intersection of said westerly sideline of Hardy Street and the westerly sideline of the  
27 State Circumferential Route 128 Highway (State Layout 1953) right-of-way;

28 Thence turning and running northerly along said westerly sideline of the State  
29 Circumferential Route 128 Highway (State Layout 1953) right-of-way to the point of beginning.  
30 The above described parcel being a portion of the property known as land N/F Vincent P & Mary

31 D Boris, 692 Greendale Avenue, Assessor's Map 18 Parcel 43. The acquisition authorized by this  
32 section shall not include any easements recorded as of July 1, 2013.

33 Parcel two is a parcel beginning at the point of intersection of the northwesterly side lot  
34 line of land N/F Greendale Avenue Worship Center, 754 Greendale Avenue, Assessor's Map 18  
35 Parcel 41 in the town of Needham and a line 150 feet from and parallel to the westerly edge of  
36 the southbound pavement of Interstate 95/Route 128 as defined on a plan entitled "Massachusetts  
37 Department of Transportation, Highway Division, Plan & Profiles of I-95/93 (Route 128) TIP -  
38 Bridge V in the Towns of Needham - Wellesley, Norfolk County", prepared by the department of  
39 transportation, dated April 13, 2013;

40 Thence heading southerly along said parallel line to the point of intersection of said  
41 parallel line and the westerly sideline of Hardy Street, an Ancient Town Way abandoned in  
42 1988;

43 Thence turning and running northerly along said Hardy Street to the point of intersection  
44 of the westerly sideline of said Hardy Street and the northwesterly side lot line of land N/F  
45 Greendale Avenue Worship Center, 754 Greendale Avenue, Assessor's Map 18 Parcel 41 in the  
46 town of Needham; thence turning and running southerly along said northwesterly side lot line to  
47 the point of beginning.