

HOUSE No. 4920

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act designating and transferring certain land in the town of Norfolk for conservation, open space, water supply protection, and recreation purposes.

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. (a) The parcels of land described in section 2 in the town of Norfolk are
2 hereby designated for and shall be held under the protection of Article XCVII of the amendments
3 to the constitution of the commonwealth solely for the purposes of open space, forest and water
4 supply protection, management and conservation, environmental education and research and
5 public access for passive recreation and enjoyment.

6 (b) The department of correction, in consultation with the executive office of energy and
7 environmental affairs and the town of Norfolk, may issue regulations consistent with subsection
8 (a) for the public access, use and maintenance of said parcels.

9 (c) No building or other permanent structure, utility system or paved roadway or area,
10 excluding necessary recreational or conservation equipment and facilities, shall be constructed
11 on or over any parcel designated in subsection (a). The department of correction may operate,
12 maintain, repair, replace, renovate or remove any existing permanent structure, utility system or
13 paved roadway or area within any parcel designated in said subsection (a).

14 (d) The department of correction may construct additional or new structures as necessary
15 to any existing utility system on any parcel designated under subsection (a).

16 SECTION 2. The parcels of land in the town of Norfolk under the care, custody and
17 control of the department of correction designated for the purposes described in section 1 shall
18 be those lands of the commonwealth described within the “Proposed Use Boundary Line” Blocks
19 I, II, III and IV, shown on a plan entitled “Land Use Plan of Land in Norfolk, MA & Walpole,
20 MA” prepared for the commonwealth of Massachusetts department of corrections and the
21 executive office of energy and environmental affairs, prepared by Northeast Survey Consultants,
22 and dated February 24, 2012, with copies on file with the department of correction and the
23 executive office of energy and environmental affairs. The exact boundaries of the parcels shall
24 be determined by the commissioner of capital asset management and maintenance in consultation
25 with the commissioner of correction by a survey which shall be reviewed and approved by the
26 commissioner of correction and the secretary of energy and environmental affairs.

27 SECTION 3. (a) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the
28 General Laws, chapter 168 of the acts of 2013 or any other general or special law to the contrary,
29 the commissioner of capital asset management and maintenance, in consultation with the
30 commissioner of correction may convey the parcel described in subsection (b) under the care,
31 custody and control of the department of correction, currently used for correctional purposes and
32 protection of correctional water supplies within the Stony Brook and Stop River watershed, to
33 the town of Norfolk to be solely designated, held and used only for passive and active
34 recreational activities and facilities for these uses and under the protection of Article XCVII of
35 the amendments to the constitution of the commonwealth. The consideration for the parcel shall
36 be assessed at \$400 per acre. The town of Norfolk shall be responsible for all costs and expenses

37 of the transaction authorized in this section as determined by the commissioner of capital asset
38 management and maintenance including, but not limited to, the costs of any engineering,
39 surveys, appraisals and deed preparation related to the conveyance of the parcel.

40 (b) The parcel of land in the town of Norfolk, shall consist of approximately 43 acres,
41 being a portion of those lands of the commonwealth within the “Proposed Use Boundary Line”
42 Block I, shown on the above mentioned plan entitled “Land Use Plan of Land in Norfolk, MA &
43 Walpole, MA” described as follows: beginning at a point on Pond street (Route 115) on the
44 northerly end of the town of Norfolk Pond Street Recreational Facility and fields parcel on the
45 Norfolk assessor’s map 20, block 72, parcel 56 and following the boundary between this parcel
46 and the land of the commonwealth to a point on Pond street (Route 115) on the southerly end of
47 the town of Norfolk parcel and then southerly along Pond street (Route 115) to the corner with
48 the “Tract 1000E-1 USA Easement Area” found in a deed recorded in book 5788, page 1 in the
49 Norfolk county registry of deeds and thence easterly, thence northerly along the bounds of that
50 easement to a point adjacent to Stony brook, southerly of well #2, thence southwesterly along
51 Stony brook to a point on Pond street (Route 115) and thence southeasterly along Pond street
52 (Route 115) to the point of beginning. The exact boundaries of the parcel, containing
53 approximately 43 acres, shall be determined by the commissioner of capital asset management
54 and maintenance in consultation with the commissioner of correction by a survey which shall be
55 reviewed and approved by the secretary of energy and environmental affairs and the town of
56 Norfolk. The parcel described in this section includes the parcels described in section 3 of
57 chapter 168 of the acts of 2013.