

**SENATE . . . . . No. 2300**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Patrick M. O'Connor*

*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 Scituate to use certain land for general municipal purposes without Article 97 restrictions on such use.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>
<i>Joan Meschino</i>	<i>3rd Plymouth</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>

**SENATE . . . . . No. 2300**

By Mr. O'Connor, a petition (accompanied by bill, Senate, No. 2300) of Patrick M. O'Connor, Joan Meschino and Patrick Joseph Kearney (by vote of the town) for legislation to authorize the town of Scituate to use certain land for general municipal purposes without Article 97 restrictions on such use. Municipalities and Regional Government. [Local Approval Received.]

**The Commonwealth of Massachusetts**

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

An Act authorizing the town of Scituate to use certain land for general municipal purposes without Article 97 restrictions on such use.

*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. Notwithstanding any general or special law to the contrary, the Town of  
2   Scituate, acting by or through its Board of Selectmen, is hereby authorized to use approximately  
3   7 acres of the Ellis Estate land known as the Public Safety Complex, for general municipal  
4   purposes without any restrictions imposed on such use by Article 97 of the Amendments to the  
5   Massachusetts Constitution in exchange for subjecting the parcels of land in Scituate referenced  
6   in a.- d. below to the protections of Article 97 of the Amendments to the Massachusetts  
7   Constitution:

8           a. 3 parcels on Clapp Road identified as O Clapp Road, Parcel ID 25-5-3-A, recorded in  
9   the Plymouth County Registry of Deeds, Book 5266, Page 496, Parcel ID 25-5-3-0, recorded in  
10   the Plymouth County Registry of Deeds, Book 5270, Page 249 and Parcel ID 25-5-2-R, all as

11 shown on a plan of land by Horsley Whitten Group dated October 24, 2018, a copy of which is  
12 available at the Town Clerk's Office;

13 b. an approximate 7.13 acre parcel identified on the Assessors Map as 26-1-32, 0 Rear  
14 Captain Pierce Road;

15 c. an approximate 9.380 acre parcel identified on the Assessors Map as 33-8-1, Woodland  
16 Road; and

17 d. a portion of a parcel identified on the Assessors Map as 23-1-6, excluding  
18 approximately 6.6 acres as shown on a plan by Horsley Whitten Group dated January 15, 2019 a  
19 copy of which is available at the Town Clerk's Office.

20 SECTION 2. The authorization contained in Section 1 shall be contingent upon the  
21 transfer of the care, custody and control of the property identified in Section 1(a) –(d) from the  
22 Board of Selectmen to the Conservation Commission, for conservation purposes and the grant of  
23 a conservation restriction complying with Article 97 of the Amendments to the Massachusetts  
24 Constitution, in perpetuity.

25 SECTION 3. This act shall take effect upon its passage.