

SENATE No. 2628

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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 city of Gloucester to use certain lands for municipal school purposes.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Bruce E. Tarr

First Essex and Middlesex

Ann-Margaret Ferrante

5th Essex

SENATE No. 2628

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 2628) of Bruce E. Tarr and Ann-Margaret Ferrante (with approval of the mayor and city council) for legislation to authorize the city of Gloucester to use certain lands for municipal school purposes. 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 city of Gloucester to use certain lands for municipal school 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. Notwithstanding any general or special law to the contrary, the City of
2 Gloucester is hereby authorized to transfer the care, custody and control of certain municipal
3 land comprising approximately 2.7 +/- acres, known and numbered as 11 Webster Street, which
4 includes Mattos Field, and is held by the City pursuant to deeds recorded at Book 2599, Page
5 151 and Book 2867, Page 34 in the Southern Essex District Registry of Deeds, to the Gloucester
6 School Committee for municipal school purposes without any restrictions imposed on such use
7 by Article 97 of the Amendments to the Massachusetts Constitution.

8 SECTION 2. To ensure a no-net-loss of lands protected for conservation and recreation
9 purposes, and in consideration for the transfer authorized in Section 1, the School Committee
10 shall transfer the care, custody and control of certain school land comprising approximately 2.8
11 +/- acres, known and numbered as 8 Davis Street, which includes East Gloucester Elementary
12 School comprised of Lots: 1, 2, 3, 4, 5, A, B, C, D and the lot labeled Portion of Maxwell

13 Parsons Playground and the layouts of Davis Street Extension and Parsons Street as depicted on
14 the plan that can be found in Plan Book 76, Page 45 in the Southern Essex District Registry of
15 Deeds, to the City Department of Public Works to be used for municipal park and open space
16 purposes with the grant of a deed restriction placing the land under the protection of Article 97 of
17 the Amendments to the Massachusetts Constitution in perpetuity.

18 SECTION 2A. In addition to the proposed transfer as outlined in Section 2 above, the
19 City Department of Public Works shall upgrade softball field facilities and accommodations at
20 another City open space known and numbered as 6 Green Street and 18A Beckford Street prior
21 to the discontinuance of use of Mattos Field associated with the commencement of school
22 construction.

23 SECTION 3. The transfer of land in Section 1 shall be contingent upon the transfer of
24 land in Section 2 and the transfer of land in Section 2 shall be contingent upon the recording of a
25 deed restriction on the Section 2 land placing it under the protection of Article 97 of the
26 Amendments to the Massachusetts Constitution to be preserved for municipal park and open
27 space purposes.

28 SECTION 4. If construction or demolition upon or removal of any structures from the
29 land referred to in Section 1 does not commence within four years from the land transfers
30 referenced above then care, custody and control of the land in Section 1 shall revert to the City
31 Department of Public Works, to be placed under the protection of Article 97 of the Amendments
32 to the Massachusetts Constitution, and care, custody and control of the land in Section 2 shall
33 revert back to the School Committee.

34 SECTION 5. This act shall take effect upon its passage.