

**HOUSE . . . . . No. 3444**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Shawn Dooley*

*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 directing the highway division of the Massachusetts Department of Transportation to take by eminent domain the City Mills dam and certain surrounding land in the town of Norfolk.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>1/25/2021</i>

**HOUSE . . . . . No. 3444**

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By Mr. Dooley of Norfolk, a petition (accompanied by bill, House, No. 3444) of Shawn Dooley relative to directing the highway division of the Massachusetts Department of Transportation to take by eminent domain the City Mills dam and certain surrounding land in the town of Norfolk. Transportation.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3001 OF 2019-2020.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

An Act directing the highway division of the Massachusetts Department of Transportation to take by eminent domain the City Mills dam and certain surrounding land in the town of Norfolk.

*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) Notwithstanding any general or special law to the contrary, the highway  
2           division of the Massachusetts Department of Transportation shall immediately take by eminent  
3           domain pursuant to chapter 79 of the General Laws a fee interest in the portion of Main street in  
4           the town of Norfolk which traverses City Mills Pond, including the earthen dam, spillway and  
5           attendant structures known as the City Mills Dam, and a permanent easement interest in and to  
6           the abutments to the extent necessary to properly complete construction, for all purposes  
7           consistent with the emergency rehabilitation and repair of the same for the safety of the public.

8           (b) The highway division shall undertake and fund all necessary and immediate repairs  
9 required to rehabilitate the portion of Main street taken pursuant to subsection (a) and the City  
10 Mills Dam.

11           (c) Notwithstanding any general or special law to the contrary, no permit shall be  
12 required from any state or local agency or body for the necessary and immediate repairs  
13 contemplated by this act.

14           (d) Notwithstanding said chapter 79, no appraisal of damages shall be required before any  
15 taking by eminent domain for the purposes of this act. Any appraisals required for the purposes  
16 of this act shall be undertaken and funded by the highway division.

17           SECTION 2. This act shall take effect upon its passage.