

**HOUSE . . . . . No. 5024**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Daniel Cahill*

*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 Lynn to grant a conservation restriction to park lands, forest lands and watershed lands to the Department of Conservation and Recreation and the Essex County Greenbelt Association, Inc. in Lynn, Saugus, and Lynnfield, Massachusetts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Daniel Cahill</i>	<i>10th Essex</i>	<i>6/15/2022</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>6/17/2022</i>
<i>Peter Capano</i>	<i>11th Essex</i>	<i>6/21/2022</i>
<i>Donald H. Wong</i>	<i>9th Essex</i>	<i>6/22/2022</i>

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By Mr. Cahill of Lynn, a petition (subject to Joint Rule 12) of Daniel Cahill and others (with the approval of the mayor and city council) that the city of Lynn be authorized to grant certain conservation restrictions to the Department of Conservation and Recreation and the Essex County Greenbelt Association, Inc. in the city of Lynn, town of Saugus, and town of Lynnfield. Environment, Natural Resources and Agriculture. [Local Approval Received.]

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
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An Act authorizing the city of Lynn to grant a conservation restriction to park lands, forest lands and watershed lands to the Department of Conservation and Recreation and the Essex County Greenbelt Association, Inc. in Lynn, Saugus, and Lynnfield, Massachusetts.

*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 chapter 30B of the General Laws, any other general or  
2 special law or any ordinance or charter to the contrary, the city of Lynn, acting by and through its  
3 mayor with the approval of its city council, and the Lynn water and sewer commission  
4 established in chapter 381 of the acts of 1982 may grant, for no monetary consideration, to the  
5 commonwealth, acting by and through the department of conservation and recreation, and the  
6 Essex County Greenbelt Association, Inc. easements and restrictions through a conservation  
7 restriction pursuant to sections 31 and 32 of chapter 184 of the General Laws on all or portions  
8 of certain parcels of land owned by the city of Lynn or the Lynn water and sewer commission  
9 located in the city of Lynn and the towns of Saugus and Lynnfield as identified in section 2. The  
10 conservation restriction may be jointly granted to and held by the department of conservation and

11 recreation and the Essex County Greenbelt Association, Inc. The grant shall be for conservation  
12 and recreation purposes for the general public under Article XCVII of the amendments to the  
13 constitution, including the preservation and protection of water resources, wildlife and native  
14 habitats, sustainable forest management and passive recreational uses. The property identified in  
15 section 2 was acquired for and used by the city of Lynn for recreational, watershed and water  
16 supply protection purposes or will be acquired for such purposes by confirmatory order of  
17 taking.

18 SECTION 2. (a) The parcels of land in the city of Lynn and the towns of Saugus and  
19 Lynnfield, on which a conservation restriction is authorized to be granted pursuant to section 1,  
20 are identified on the following plans: (i) “Plan of Land, Lynn Woods Reservation in Lynn,  
21 Saugus, & Lynnfield, Mass. prepared for Lynn Department of Community Development”  
22 recorded at the Essex Registry of Deeds South District on August 10, 2017 in Plan Book 461  
23 Page 29; (ii) “Plan of Land, Lynn Massachusetts prepared for Stoney Brook Realty Trust”  
24 recorded on November 1, 2002 in the Essex Registry of Deeds South District in Plan Book 363  
25 Plan 40; (iii) “Lynn, Massachusetts, Subdivision of Land prepared for Franklin B. Kashner”  
26 recorded in the Essex Registry of Deeds South District on May 30, 2001 in Plan Book 351, Plan  
27 62; (iv) “Sub-Division of Land owned by Hume W. & Shirley S. Thistle” recorded in the Essex  
28 Registry of Deeds South District on March 8, 1946 in Plan 93 of 1946; and (v) “Plan Showing  
29 Land Taken by City of Lynn for Purpose of Public Water Supply” recorded in the Essex  
30 Registry of Deeds South District on May 23, 1916 in Plan Book 2331 Page 455. Minor  
31 modifications may be made to the description with the approval of the parties to the conservation  
32 restriction authorized in section 1 as said parties intend that the conservation restriction include

33 the lands and water located in Lynn Woods comprised of approximately 2,079 acres, excluding  
34 the areas in subsection (b).

35 (b) The parcels of land on which a conservation restriction is authorized to be granted  
36 pursuant to section 1 shall not include, from the plans identified in subsection (a), the following:

37 (1) approximately 18 acres in Lynnfield, (2) Mary Ellen drive as shown on plan entitled,  
38 “Spickett Hill ‘Definitive Subdivision Plan’ in Lynn, Mass.” recorded at the Essex Registry of  
39 Deeds South District on October 20, 1987 in Plan Book 231 Plan 98, (3) Frey park on Dungeon  
40 avenue, Walnut street, and Oak street, and (4) Lynn water and sewer commission land east of  
41 Parkland avenue.

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