

SENATE No. 2629

Senate, January 31, 2022 -- Text of the Senate amendment (Senator Comerford) to the House Bill authorizing the city of Northampton to amend a certain conservation easement (House, No. 3900)

The Commonwealth of Massachusetts

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

1 SECTION 1. Notwithstanding any general or special law to the contrary, the city of
2 Northampton, acting by and through its mayor and conservation commission, may amend the
3 open space restriction and public right of way easement recorded at Hampshire registry of deeds
4 at book 5900, page 26 to allow: (i) parking on a portion of the land shown as “K1” on a survey
5 entitled “Boundary Survey of Land of the Commonwealth of Massachusetts formerly the
6 Northampton State Hospital Northampton, Massachusetts”, recorded with the Hampshire district
7 registry of deeds in plan book 183, page 1, sheet 3, said portion being more particularly
8 described as beginning at a point shown as “G” on the southeast corner of K1; thence 234 feet
9 S45 degrees 44’34”W along West Street; thence northerly to a point along other land of the
10 Trustees of Smith College; thence 210 feet N48 degrees 28’15”E along other land of the Trustees
11 of Smith College; thence 258.34 feet S30 degrees 03’53”E along the portion of land shown as
12 “1” on the survey; thence 249.60’ feet S09 degrees 06’59E along the portion of land shown as
13 “K2” on the survey to the point of beginning; and (ii) underground piping and heat exchange for
14 ground source heat pumps under the open field portion of K1; provided, however, that the
15 surface above the underground piping and heat exchange for ground source heat pumps shall be
16 restored and continue to be used for the purposes provided for in the open space restriction and

17 public right of way easement; and provided further, that any amendment of said restriction as
18 authorized by this section shall be recorded as a conservation restriction pursuant to section 32 of
19 chapter 184 of the General Laws.

20 SECTION 2. As a condition and in consideration for the amendment to the easement as
21 provided in section 1, and at the same time as such release, the city of Northampton, acting by
22 and through its conservation commission, shall accept an expanded public right-of-way easement
23 to allow the public to pass and repass on foot trails for the purpose of passive recreation,
24 including, but not limited to, fishing, hiking, winter sports on all trails within 100 feet of the Mill
25 river on the northerly side of the river, northerly and westerly of the Smith college crew house
26 and westerly of College lane on the Smith college campus in the city. The easement along the
27 Mill river shall be essentially as shown on a plan entitled "Easement along Mill River from
28 College Lane to an area southwesterly of Dryads Green, Northampton on land of the Trustees of
29 Smith College" and shall be maintained on file in the city's office of planning and sustainability.

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