SENATE DOCKET, NO. 2515 FILED ON: 3/5/2021

SENATE . . . . . No. 29

The Commonwealth of Massachusetts

PRESENTED BY:

Mark C. Montigny

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 New Bedford to convey certain land acquired for open space and play ground purposes.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Mark C. Montigny	*Second Bristol and Plymouth*	
Antonio F. D. Cabral	*13th Bristol*	*3/29/2021*
Paul A. Schmid, III	*8th Bristol*	*3/31/2021*

SENATE DOCKET, NO. 2515 FILED ON: 3/5/2021

SENATE . . . . . No. 29

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 29) of Mark C. Montigny (with approval of the mayor and city council) for legislation to authorize the city of New Bedford to convey certain land acquired for open space and play ground purposes. Municipalities and Regional Government. [Local approval received]

The Commonwealth of Massachusetts

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

An Act authorizing the city of New Bedford to convey certain land acquired for open space and play ground purposes.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general, special, or local law to the contrary, but subject to chapter 30B of the General Laws, the city of New Bedford, acting by and through its city council, with the approval of its mayor, may convey a parcel of land currently used as a municipal golf course and acquired by the city in part for open space purposes and in part for playground purposes. The property to be conveyed contains approximately 99.86 acres and is shown as Parcel "B" on plan entitled "Subdivision Plan, Tax Map 121-1 Lots: 1-8, 37, 45, and 86" prepared by Nitsch Engineering, dated October 7, 2020.

SECTION 2. To ensure a no-net-loss of lands protected for conservation and recreation purposes, and as consideration for the transfer authorized in Section 1, the city council, with the approval of the mayor, shall convey a conservation restriction pursuant to sections 31, 32, and 33 of chapter 184 of the General Laws on approximately 156.128 acres of land owned by the city of

New Bedford in the town of Dartmouth, which is a portion of an approximately 225.888-acre parcel of land currently used as a rifle range. The land to be subject to the proposed conservation restriction, which shall be held by the Dartmouth Natural Resources Trust, Inc. is shown as "Area with Conservation Restriction" on a plan entitled "Plan of Land for Conservation Restriction, City of New Bedford Rifle Range, Woodcock Road, Dartmouth, MA," prepared by SMC dated January 14, 2020 and revised September 30, 2020. The land currently used as the active portion of the rifle range is an approximately 69.750-acre parcel of land shown as "Rifle Range Parcel" on Sheet 1 of the same plan. The city of New Bedford shall be permitted to indemnify the Dartmouth National Resources Trust, Inc. in connection with said conservation restriction. The active rifle range shall be allowed to continue in operation and that portion of the land shall be open to the public. While the active rifle ranges is in operation, the portion of the land subject to the conservation restriction may be open to the public for passive recreation, as appropriate given public safety considerations. In the event the rifle range ceases to be used as a rifle range at any time, the land subject to the conservation restriction shall be open to the public for passive recreation.

SECTION 3. The act shall take effect upon its passage.