

SENATE No. 3025

Senate, July , 2022 -- Text of the Senate amendment (Senator Gobi) to the House Bill providing for the disposition of certain land in the town of West Brookfield (House, No. 4519).

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 town of
2 West Brookfield may acquire by purchase, gift, eminent domain or otherwise, on such terms and
3 conditions as the board of selectmen shall determine, permanent and temporary easements on the
4 parcels of land shown on plans entitled "Massachusetts Department of Transportation Highway
5 Division Plan and Profile West Main Street (Route 9) in the Town of West Brookfield Worcester
6 County Preliminary Right of Way" the 100 per cent submittal for which is dated 01/21/2022, and
7 "Massachusetts Department of Transportation Highway Division Plan and Profile West Main
8 Street (Route 9) in the Town of West Brookfield Worcester County Preliminary Right of Way,
9 the 75% submittal for which is dated 09/03/2021, prepared by CHA, which plans and any
10 amendments thereto are on file with the town clerk, for public way purposes including, but not
11 limited to, the construction, alteration, maintenance, improvement and repair to state highway
12 route 9 in 2 construction phases, identified as MassDOT Project number 606517 and MassDOT
13 Project number 609049.

14 SECTION 2. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General
15 Laws, the commissioner of capital asset management and maintenance, in consultation with the
16 department of fish and game, may convey to the town of West Brookfield certain permanent and

temporary easements as shown on the plans referenced in section 1 and any amendments thereto located upon land owned by the department of fish and game pursuant to 2 orders of taking, one of which is dated June 2, 2002 and recorded in the Worcester district registry of deeds in book 26787, page 199 and dated June 12, 2006 and recorded in the Worcester district registry of deeds in book 39186, page 357, which were acquired for fish and wildlife conservation, natural habitat protection and associated public recreation.

SECTION 3. To ensure a no-net-loss of land protected for Article 97 purposes and as a condition of the change of use and control pursuant to section 2, the town of West Brookfield shall convey to the commonwealth, acting through the department of fish and game, a certain parcel of land owned by the town and shown on 'town assessors map 26 as parcel 6. containing approximately 23.02 acres for fish and wildlife conservation, natural habitat protection, associated public recreation and other purposes consistent therewith.

SECTION 4. The board of selectmen of the town of West Brookfield may enter into all agreements and take all related actions necessary or appropriate to carry out the acquisitions and other transactions authorized in this act.