

HOUSE No. 4883

Text of an amendment, offered by Mr. Walsh of Peabody, to the Senate Bill authorizing the town of Milton to use certain land acquired for conservation purposes for school purposes (Senate, No. 2840). July 17, 2024.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

By striking out all after the enacting clause and inserting in place thereof the following:—

1 SECTION 1. (a)(1) The town of Milton may transfer to the care, custody, management
2 and control of the select board for school purposes the following parcels of land acquired and
3 currently used for conservation and recreation purposes and described as follows:

4 (i) approximately 2.81 acres of a portion of the land as shown on the town assessors’
5 maps as map D, block 65, lot 6A, which is presently under the care, custody, management and
6 control of the town conservation commission for conservation purposes pursuant to a deed
7 recorded in the Norfolk county registry of deeds in book 5553, page 391; and

8 (ii) approximately 4.4 acres of a portion of the land as shown on the town assessors’
9 maps as map D, block 65, lot 6B, which is presently under the care, custody, management and
10 control of the parks and recreation department of the town for recreational purposes pursuant to a
11 deed recorded in the Norfolk county registry of deeds in book 5553, page 391.

12 (2) The parcels are shown collectively as Parcel C on a plan of land entitled “Approval
13 Not Required Plan of Land Blue Hills Parkway in Milton, Massachusetts (Norfolk County)”

14 dated March 2023, prepared by BSC Group, a copy of which is on file with the office of the
15 director of planning and community development in the town.

16 (b) As remediation for the change of use of the land acquired for conservation and
17 recreation land identified in subsection (a), the town shall transfer the following parcels of land
18 to the care, custody, management and control of the conservation commission of the town for the
19 purposes of conservation and recreation pursuant to Article 97 of the Amendments to the
20 Constitution of the Commonwealth:

21 (i) approximately 6 acres of land located on Randolph avenue in the town of Milton as
22 shown on the town assessors' maps as a portion of map I, block 38D, lot 10A, which is presently
23 under the care, custody, management and control of the select board pursuant to an order of
24 taking recorded in the Norfolk county registry of deeds in book 6055, page 474 for municipal
25 and conservation purposes;

26 (ii) approximately 3 acres of land located on Herrick drive as shown on the town
27 assessors' maps as map E, block 17, lot 34 and map E, block 17, lot 35, which is presently under
28 the care, custody, management and control of the select board pursuant to a judgment in a tax
29 lien case and recorded in the Norfolk county registry of deeds in book 32064, page 543 for
30 general municipal purposes;

31 (iii) approximately 1 acre of land located on School street as shown on the town
32 assessors' maps as map E, block 17, lot 19, which is presently under the care, custody,
33 management and control of the select board pursuant to a judgment in tax lien case and recorded
34 in the Norfolk county registry of deeds in book 32064, page 543 for general municipal purposes;

35 (iv) approximately 5 acres of land located at the corner of Highland street and Canton
36 avenue as shown on the town assessors' maps as map K, block 2, lot 1A, which is presently
37 under the care, custody, management and control of the select board pursuant to a deed recorded
38 in the Norfolk county registry of deeds in book 4782, page 338 for conservation purposes;

39 (v) approximately 41 acres of land located around and inclusive of Pope's pond as shown
40 on the town assessors' maps as map C, block 34A, lot 4, a portion of which, not to exceed 4
41 acres, shall be transferred to the care, custody, management and control of the parks and
42 recreation department of the town as land dedicated as a park for playground purposes, which is
43 presently under the care, custody, management and control of the select board for open space and
44 conservation purposes pursuant to a deed recorded in the Norfolk county registry of deeds in
45 book 4080, page 379; and

46 (vi) approximately 18.94 acres of land off Randolph avenue as shown on the town
47 assessors' maps as map I, block 38E, lot 2, parcels A to F, inclusive, and map I, block 38E, lot 3,
48 which is presently under the care, custody, management and control of the select board pursuant
49 to an order of taking recorded in the Norfolk county registry of deeds in book 6055, page 474 for
50 municipal and conservation purposes.

51 (c) As further remediation for the change of use of the land pursuant to subsection (a), the
52 town shall transfer approximately 4.86 acres of land off Randolph avenue, consisting of portions
53 of land as shown on the town assessors' maps as map I, block 38D, lot 6 and map I, block 38D,
54 lot 7, to the parks and recreation department of the town, subject to the restrictions under Article
55 97 of the Amendments to the Constitution of the Commonwealth, which land is presently under
56 the care, custody, management and control of the select board pursuant to an order of taking

57 recorded in the Norfolk county registry of deeds in book 6055, page 474 for municipal and
58 conservation purposes.

59 SECTION 2. If the town does not appropriate money for construction of a new school on
60 or before June 30, 2028, then: (i) the parcel identified in clause (i) of subsection (a) of section 1
61 shall be transferred back to the care, custody, management and control of the conservation
62 commission to be subject to Article 97 of the Amendments to the Constitution of the
63 Commonwealth; and (ii) the parcel identified in clause (ii) of said subsection (a) of said section 1
64 shall be transferred back to the care, custody, management and control of the parks and
65 recreation department of the town for recreation purposes under said Article 97.

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