

HOUSE No. 4944

Substituted, on motion of Mr. Walsh of Peabody, for a bill with the same title (House No. 4723)
[Local Approval Received]. July 30, 2024.

The Commonwealth of Massachusetts

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

An Act authorizing the town of Brookline to convey a parcel of land to the Pierce School Building Committee to install subsurface geothermal wells.

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 any general or special law to the contrary, the town of
2 Brookline may use a certain portion of the Pierce School Playground, acquired in part for
3 playground purposes, for installation of subsurface geothermal wells. Upon completion of the
4 installation and within 12 months after disturbance of the surface, the town of Brookline will
5 restore and improve the Pierce School Playground and the public will be able to continue to use
6 the land for playground and recreational purposes subject to article 97 of the amendments to the
7 constitution of the Commonwealth.

8 SECTION 2. The land, which may be used for the purposes described in section 1, is a
9 1.53-acre portion of the Pierce School Playground shown as “Playground Area” on a plan
10 entitled “Article 97 Plan,” 53-65 School Street, Brookline, Mass. draft dated 06/27/2024,
11 prepared by Feldman Geospatial, and on file with the office of the town clerk.

12 SECTION 3. As mitigation for the permanent subsurface change in use described in
13 Section 1, the town of Brookline shall make improvements to Pierce School Playground equal to
14 or greater than the monetary value of the permanent subsurface impact, as confirmed by an
15 affidavit from the town assessor.

16 SECTION 4. This act shall take effect upon its passage.