

SENATE No. 2840

Senate, June 27, 2024 - New draft (Senator Timilty) to Senate Bill authorizing the town of Milton to use certain property for school purposes (Senate, No. 2549).

The Commonwealth of Massachusetts

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

An Act authorizing the town of Milton to use certain land acquired for conservation purposes for school purposes.

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

4 (i) approximately 2.81 acres of land as shown on the town assessors’ maps as map D,
5 block 65, lot 6A, which is presently under the care, custody, management and control of the town
6 conservation commission pursuant to a deed recorded in the Norfolk county registry of deeds in
7 book 5553, page 389; and

8 (ii) approximately 4.4 acres of land as shown on the town assessors’ maps as map D,
9 block 65, lot 6B, which is presently under the care, custody, management and control of the
10 parks and recreation department pursuant to a deed recorded in the Norfolk county registry of
11 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 the 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 Article 97 of the Amendments to the Constitution of the Commonwealth:

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

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

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

32 (iv) approximately 5 acres of land located at the corner of Highland street and Canton
33 avenue as shown on the town assessors’ maps as map K, block 2, lot 1A which is presently under

34 the care, custody, management and control of the select board pursuant to a deed recorded in the
35 Norfolk county registry of deeds in book 4782, page 338;

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

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

47 (c) In further remediation for the change of use of the land pursuant to subsection (a), the
48 town shall transfer approximately 4.86 acres of land off Randolph avenue, consisting of portions
49 of land as shown on the town assessors' maps as map I, block 38D, lot 6 and map I, block 38D,
50 lot 7, to the parks and recreation department, subject to the restrictions under Article 97 of the
51 Amendments to the Constitution of the Commonwealth, which land is presently under the care,
52 custody, management and control of the select board pursuant to an order of taking recorded in
53 the Norfolk county registry of deeds in book 6055, page 474.

54 SECTION 2. The authority conferred by this act shall be conditioned upon compliance by
55 the town with applicable laws and regulations regarding the disposition of land, including, but
56 not limited to, section 5A of chapter 3 of the General Laws.

57 SECTION 3. If the town does not appropriate money for construction of a new school on
58 or before June 30, 2028, then: (i) the parcel identified in clause (i) of subsection (a) of section 1
59 shall be transferred back to the care, custody, management and control of the conservation
60 commission to be subject to Article 97 of the Amendments to the Constitution of the
61 Commonwealth; and (ii) the parcel referenced in clause (ii) of said subsection (a) of said section
62 1 shall be transferred back to the care, custody, management and control of the town of Parks
63 and recreation department for recreation purposes under said Article 97.

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