

SENATE No. 2576

Senate, July 31, 2025 -- Substituted as a new draft (Senator Fattman) for the Senate Bill providing for the disposition of certain property in the town of Upton (Senate, No. 2135).

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act authorizing the commonwealth to dispose of certain parcels of land in the town of Upton acquired for conservation and recreation purposes.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith authorize the transfer of a certain parcel of land in the town of Upton, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1 Chapter 156 of the acts of 2005 is hereby amended by striking out sections 1 and 2 and
2 inserting in place thereof the following 2 sections:-

3 Section1. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General
4 Laws, the commissioner of capital asset management and maintenance, in consultation with the
5 department of conservation and recreation, may convey 2 parcels of land located off Maple
6 avenue in the town of Upton which are portions of land acquired by the commonwealth for
7 conservation and recreation purposes by deeds recorded in the Worcester county register of
8 deeds in book 2651, page 81 and in book 2646, page 147 to the Upton Development Group, Ltd.
9 or its nominee. The parcels are currently under the care, custody and control of the department

10 and are shown on a plan of land entitled "Approval Not Required Plan of Land Maple Avenue,
11 Hartford Avenue, Glen Avenue Upton, Massachusetts, Worcester County" dated October 7, 2013
12 and prepared by Geo/Network Land Survey, Inc. The exact boundaries of the parcels shall be
13 determined by the commissioner in consultation with the department.

14 Section 2. (a) In consideration for the conveyance of the parcels pursuant to section 1, the
15 Upton Development Group, Ltd. or its nominee shall convey, subject to subsection (b), to the
16 division of capital asset management and maintenance 2 parcels of land which shall be placed
17 under the care, custody and control of the department of conservation and recreation to be used
18 for conservation purposes. The parcels are shown as parcel 1B and parcel 3B on the plan of land
19 referenced in section 1. The exact boundaries of the parcels shall be determined by the
20 commissioner in consultation with the department and the Upton Development Group, Ltd. or its
21 nominee.

22 (b) If either parcel 1B or parcel 3B or both are determined to be unacceptable to the
23 division of capital asset management and maintenance, in consultation with the department of
24 conservation and recreation, due to environmental contamination, the Upton Development
25 Group, Ltd. or its nominee shall convey to the division alternative suitable replacement land of
26 equal or greater acreage and natural resource value as parcel 1B and parcel 3B that is acceptable
27 to the division, in consultation with the department. The parcels shall be placed under the care,
28 custody and control of the department and shall be used for conservation purposes.