

HOUSE No. 4194

[LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

David M. Torrissi

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Authorizing the Town of North Andover to Amend a Certain Conservation Restriction.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
David M. Torrissi	14th Essex
Barbara A. L'Italien	18th Essex
Bruce E. Tarr	First Essex and Middlesex
Steven A. Baddour	First Essex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

An Act Authorizing the Town of North Andover to Amend a Certain Conservation Restriction.

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. The conservation commission and the board of selectmen of the town of North
2 Andover may release a certain conservation restriction granted to the town by Boston Hill
3 Development, LLC on June 13, 2006 and recorded at the North Essex registry of deeds in book
4 10282 at page 272. The conservation restriction was granted to the town of North Andover on
5 18.74 acres of a 33.35 acre parcel by Boston Hill Development, LLC and is shown as “Open
6 Space Parcel ‘A’” above the title “EXISTING CONSERVATION RESTRICTION (WITH
7 PREVIOUSLY PROPOSED DEVELOPMENT)” on the plan entitled “PROPOSED
8 MODIFICATION TO CONSERVATION RESTRICTION, THE BOSTON HILL PREMISES
9 NORTH ANDOVER, MA” dated January 29, 2009 and prepared for Elm Development
10 Services, LLC. 200 North Main Street, East Longmeadow, MA 01028 by Marchionda &
11 Associates, L.P.

12

13 SECTION 2. In consideration of the release set forth in section 1, Boston Hill Development,
14 LLC shall convey a conservation restriction to the board of selectmen and conservation
15 commission of the town of North Andover on 25.14 acres of said 33.35 acre parcel to reflect the
16 modification of the grantor’s proposed development plans. This conservation restriction is
17 shown as “Open Space Parcel ‘A’” above the title “PROPOSED MODIFIED CONSERVATION
18 RESTRICTION (WITH CURRENTLY PROPOSED DEVELOPMENT)” on the plan entitled
19 “PROPOSED MODIFICATION TO CONSERVATION RESTRICTION, THE BOSTON HILL
20 PREMISES NORTH ANDOVER, MA” dated January 29, 2009 and prepared for Elm
21 Development Services, LLC. 200 North Main Street, East Longmeadow, MA 01028 by
22 Marchionda & Associates, L.P.

23

24 SECTION 3. The conservation commission and the board of selectmen of the town of North
25 Andover shall take all actions they deem necessary or advisable in their sole discretion to carry
26 out the release of the conservation restriction and acceptance of a new conservation restriction as
27 set forth in sections 1 and 2, including, without limitation, the execution of any and all
28 documents relative thereto.