

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

David M. Torrasi

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 modifying a conservation restriction in the town of North Andover.

PETITION OF:

NAME:

David M. Torrasi

None

DISTRICT/ADDRESS:

14th Essex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT MODIFYING A CONSERVATION RESTRICTION IN THE TOWN OF NORTH ANDOVER.

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 sections 31, 32 and 33 of chapter 184 of the General Laws, the
2 town of North Andover shall be allowed to modify the conservation restriction the town placed
3 on the property known as the North Andover Town Farm. The town shall modify the use only in
4 the areas of the property described as “Area 1” and “Area 2” identified as follows:

5
6 Conservation Restriction Amendment Plan, Town Farm- Dale Street, North Andover, MA,
7 Assessors Map 64, Lots 9, 18, 20, 64, prepared for the Town of North Andover by New England
8 Engineering Services Inc., 1600 Osgood Street, Building 20 Suite 2-64, Dated May 12, 2008 and
9 stamped by Benjamin C. Osgood Jr. P.E., File No. 1532-5-12-08 containing 1- 3 sheets,
10 hereinafter referred to as (“amendment plan”) incorporated by reference herein; being a portion
11 of the property known as the North Andover Town Farm, approximately 158.93 acres, more or
12 less,

13

14 *Area 1*

15 Being an area of land on the South side of Dale Street containing 3.4 Acres more or less and
16 described as follows:

17 Beginning at a point 99.20 feet west of the northeast corner of a parcel described as Assessor’s
18 Map 64 Parcel 20 at the southerly side of Dale Street.

19 Thence on a bearing South 30 degrees 45 minutes 41 seconds East for a distance of 69.31 feet to
20 a point, thence turning South 6 degrees 24 minutes 5 seconds West 86.79 feet to a point, thence
21 turning South 18 degrees 49 minutes 53 seconds East 310.85 feet to a point, thence turning South
22 80 degrees 48 minutes 03 seconds West 444.87 feet to a point, thence turning North 53 degrees
23 45 minutes 20 seconds West 195.90 feet to a point on the southerly line of Dale Street, thence
24 turning North 52 degrees 20 minutes 9 seconds East 36.29 feet along Dale Street to a point,
25 thence turning North 56 degrees 50 minutes 58 seconds East 261.28 feet along Dale Street to a
26 point, thence turning North 50 degrees 30 minutes 19 seconds East 48.42 feet along Dale Street
27 to a point, thence turning North 39 degrees 53 minutes 23 seconds East 54.18 feet along Dale
28 Street to a point, thence turning North 43 degrees 48 minutes 19 seconds East 218.77 feet along
29 Dale Street to the point of beginning; and

30

31 *Area 2*

32 Being an area of land on the North side of Dale Street containing 3.2 Acres more or less and
33 described as follows:

34 Beginning at a point at the northwest corner of a parcel described as Assessor's Map 64 Parcel
35 18 at the northerly side of Dale Street. Thence on a bearing North 27 degrees 6 minutes 11
36 seconds West for a distance of 316.19 feet to a point, thence turning North 58 degrees 45
37 minutes 51 seconds East 438.38 feet to a point, thence turning South 31 degrees 14 minutes 9
38 seconds East 304.05 feet to a point on the Northerly line of Dale Street, thence turning South 57
39 degrees 46 minutes 19 seconds East 113.53 feet along Dale Street to a point, thence turning
40 South 57 degrees 13 minutes 29 seconds West 347.78 feet along Dale Street to the point of
41 beginning.

42

43 and, if necessary, to effect this Amendment and or Modification to authorize the Boards having
44 jurisdiction and or authority with respect to the Town Farm including but not limited to the
45 Board of Selectmen and or Conservation Commission to petition the General Court of the
46 Commonwealth of Massachusetts for appropriate legislative relief as needed and authorized by
47 those respective Boards. The care, custody, and control of this land, described as Area 1 and
48 Area 2, shall be with the Conservation Commission.

49

50 This Amendment and Modification is subject to and conditioned upon all necessary and proper
51 permitting and or approvals required by and for the Town of North Andover, including but not

52 limited to, Planning, Conservation, Health, Zoning, Building and Department of Public Works.
53
54 Article 42 Conservation Restriction - Town Farm, approved at the May 13, 1997 Town Meeting
55 shall remain in full force and effect for all areas of Town Farm as approved at the May 13, 1997
56 Town Meeting that are outside of the metes and bounds of “Area 1” and “Area 2” of this
57 Amendment and or Modification.