

HOUSE No. 4062

Substituted, on motion of Mr. Walsh of Peabody, for a bill with the same title (House No. 3995)
[Local Approval Received]. August 17, 2023.

The Commonwealth of Massachusetts

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

An Act permitting the town of Wakefield to convey an easement to the Wakefield Municipal Gas & Light Department.

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 or by-law to the contrary, the
2 town of Wakefield may convey to the Wakefield municipal gas & light department a perpetual
3 easement for the construction and maintenance of an energy park designed to be a micro-grid
4 including, but not limited to, solar energy, battery storage, natural gas generator and transmission
5 facilities, on a certain parcel of land located on Hemlock road in the town of Wakefield and
6 owned by said town, which parcel comprises approximately 43,560 square feet, more or less, and
7 is shown as "EASEMENT AREA" on a plan of land entitled "Easement Area Sketch Plan
8 WAKEFIELD, MASS.", dated August 3, 2022, by Hayes Engineering, Inc. and on file with the
9 town of Wakefield. Said parcel is a portion of the land described in a deed recorded in the
10 Middlesex south district registry of deeds in book 8526, page 287, the whole of which the town
11 acquired for playground purposes and is currently unused and undeveloped for such purpose.

12 SECTION 2. In consideration for the conveyance authorized in section 1, the Wakefield
13 municipal gas & light department shall convey to the conservation commission of the town of
14 Wakefield a conservation restriction pursuant to section 32 of chapter 184 of the General Laws
15 on a certain parcel of land comprising approximately 2.51 acres, more or less, and shown as
16 "PARCEL A" on a plan of land entitled "Sketch Plan in WAKEFIELD, MASS.," dated
17 December 1, 2022, by Hayes Engineering, Inc. and on file with the town of Wakefield. Said
18 parcel is a portion of the land described in a deed recorded in the Middlesex south district
19 registry of deeds in book 265, page 247, purchased by the town of South Reading as renamed the
20 town of Wakefield pursuant to chapter 32 of the acts of 1868 and being a portion of the land
21 shown on the town of Wakefield assessor's map 40C, parcel 001-010, which conservation
22 restriction shall dedicate the land in perpetuity to open space and conservation purposes subject
23 to Article XCVII of the Amendments to the Constitution of the commonwealth.

24 SECTION 3. In addition to the transfer pursuant to section 2, in consideration for the
25 conveyance authorized in section 1, the Wakefield municipal gas & light department shall
26 remove an electrical substation located on a parcel of land comprising approximately 8,500
27 square feet, more or less, located at 16 Ballister street, on the town of Wakefield assessor's map
28 12, parcel 116-10A, in said town and convert said parcel to a park suitable for passive
29 recreational purposes by the public. Said parcel is described in a deed recorded in the Middlesex
30 south district registry of deeds in book 9646, page 542, which the town acquired by an order of
31 taking for municipal light department purposes. The Wakefield municipal gas & light department
32 shall convey such parcel to the town of Wakefield which shall dedicate the parcel as Burns park
33 and place it under the care and control of the town of Wakefield parks department. The
34 instrument of conveyance shall include language specifying that such land is dedicated for park

35 purposes and the intention is to place such land under the protection of Article XCVII of the
36 Amendments to the Constitution of the commonwealth in perpetuity.

37 SECTION 4. In addition to the transfers pursuant to sections 2 and 3, in consideration for
38 the conveyance authorized in section 1, the Wakefield municipal gas & light department shall
39 plant trees in a manner to be determined by the town of Wakefield department of public works in
40 a town-owned area of land comprising of approximately 38,000 square feet, more or less, located
41 between Mapleway playground and Arundel avenue, being a portion of the land shown on the
42 town of Wakefield's assessor's map 42, parcel 002-002. Said parcel of the land is described in a
43 deed recorded in the Middlesex south district registry of deeds in book 34734, page 392 which
44 the town acquired by quitclaim deed.

45 SECTION 5. The grant of the easement in section 1 shall be contingent upon the transfers
46 described in Sections 2 and 3 and the planting of trees described in section 4.

47 SECTION 6. This act shall take effect upon its passage.