



City of New Bedford
IN COMMITTEE

January 28, 2021

The Honorable City Council
133 William Street
New Bedford, MA 02740

Dear Honorable Members of the City Council:

The Committee on City Property at a Meeting held on Tuesday, January 26, 2021, considered a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ACT, Authorizing the City of New Bedford To Convey Certain Land Acquired for Open Space and Playground Purposes. (Ref'd 11/12/2020)

On motion by Councillor Dunn and seconded by Councillor Lopes, the Committee VOTED: To recommend to the City Council ADOPTION, of AN ACT, Authorizing the City of New Bedford To Convey Certain Land Acquired for Open Space and Playground Purposes. This motion PASSED on a Roll Call Vote of Yeas 10, Nays 1, with Councillor Morad opposed.

IN COMMITTEE ON CITY PROPERTY

William Brad Markey
Councillor William Brad Markey, Chairman

WBM: dmb

The Commonwealth of Massachusetts

IN THE YEAR TWO THOUSAND TWENTY

AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO CONVEY CERTAIN LAND ACQUIRED FOR OPEN SPACE AND PLAYGROUND PURPOSES

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

SECTION 1. Notwithstanding any general, special, or local law to the contrary, but subject to chapter 30B of the General Laws, the city of New Bedford, acting by and through its city council, with the approval of its mayor, may convey a parcel of land currently used as a municipal golf course and acquired by the city in part for open space purposes and in part for playground purposes. The property to be conveyed contains approximately 99.86 acres and is shown as Parcel "B" on a plan entitled "Subdivision Plan, Tax Map 121-1 Lots: 1-8, 37, 45, and 86" prepared by Nitsch Engineering, dated October 7, 2020.

SECTION 2. To ensure a no-net-loss of lands protected for conservation and recreation purposes, and as consideration for the transfer authorized in section 1, the city council, with the approval of the mayor, shall convey a conservation restriction pursuant to sections 31, 32, and 33 of chapter 184 of the General Laws on approximately 156.128 acres of land owned by the city of New Bedford in the town of Dartmouth, which is a portion of an approximately 225.888-acre parcel of land currently used as a rifle range. The land to be subject to the proposed conservation restriction, which shall be held by the Dartmouth Natural Resources Trust, Inc. is shown as "Area with Conservation Restriction" on a plan entitled "Plan of Land for Conservation Restriction, City of New Bedford Rifle Range, Woodcock Road, Dartmouth, MA," prepared by SMC dated January 14, 2020 and revised September 30, 2020. The land currently used as the active portion of the rifle range is an approximately 69.750-acre parcel of land shown as "Rifle Range Parcel" on Sheet 1 of the same plan. The city of New Bedford shall be permitted to indemnify the Dartmouth Natural Resources Trust, Inc. in connection with said conservation restriction. The active rifle range shall be allowed to continue in operation, and that portion of the land shall be open to the public. While the active rifle range is in

operation, the portion of the land subject to the conservation restriction may be open to the public for passive recreation, as appropriate given public safety considerations. In the event the rifle range ceases to be used as a rifle range at any time, the land subject to the conservation restriction shall be open to the public for passive recreation.

SECTION 3. This act shall take effect upon its passage.

EVIN HANLEY, PLS
ASSACHUSETTS REG NO J1313

