



CITY OF AMESBURY
IN THE YEAR TWO THOUSAND TWENTY ONE

SPONSORED BY: Steven Stanganelli, At Large **BILL No.** 2021-102
Michael Hogg, District 6

At the meeting of the Amesbury City Council held on October 12, 2021 the following action was taken:

An Ordinance to create a Town Forest Conservation Area

Summary: A measure to create and protect a Town Forest Conservation Area, in order to preserve open space and provide for passive recreational use that promotes the quality of life of Amesbury residents and for the preservation of natural resources, under the provisions of M.G.L. c. 40, §8C, as it may hereafter be amended; M.G.L. c.45 §3, as it may hereafter be amended; and of Article 97 of the Massachusetts Constitution, as amended. Land would be placed under the care and custody of the Conservation Commission, to be known collectively as the Amesbury Town Forest. Current uses would continue.

WHEREAS, the Woodsom Farm property, purchased in 1989 (See Essex South Registry of Deeds Book 9963 Page 330), represents the largest contiguous open space in the City's possession; and

WHEREAS, the Town Forest and contiguous parcels on the southside of Lions Mouth Road and northside of Kimball Road have been used by Amesbury residents for passive recreation for decades; and

WHEREAS, the original purpose for the parcels comprising Town Forest as noted in various recorded deeds has been to preserve it for the use and pleasure of the residents of Amesbury; and,

WHEREAS, the Town Forest parcels identified in this ordinance and accompanying map are contiguous to the Great Swamp, land under the care and custody of the Conservation Commission, conservation land owned by Essex County Greenbelt Association, and parcels of the Woodsom Farm Parkland and Conservation Area as well as the Margaret Rice Conservation Area; and

WHEREAS, the National Recreation and Park Association (NRPA) and the Cooperative Extension Service standards suggest that 43 acres of recreational open space is needed per 1000 population (Master Plan, NR-7 Natural Resource Element); and,

WHEREAS, the Town Forest and Great Swamp area and other related parcels as enumerated in 2021-077 (as approved) were classified as high conservation priorities for natural resiliency and inland flooding mitigation purpose in the City's 2020-2027 Open Space and Recreation Plan;

therefore,

Be it Ordained by the City Council of the City of Amesbury assembled and by the authority of the same, as follows:

1. Conservation Park Land:

- a. That the City of Amesbury shall place the following parcels and portions of the area known as ‘Town Forest’ as described below under the care, custody and control of its Conservation Commission or its successor entity:
 - i.54 Kimball Road #RR, Assessor’s Map 60/5**
 - ii.70 Kimball Road #RR, Assessor’s Map 60/1**
 - iii.270 Lions Mouth Road #RR, Assessor’s Map 48/14**
 - iv.26 Kimball Road #RR, Assessor’s Map 62/2**
 - v.24 Kimball Road #R, Assessor’s Map 62/1.**
- b. These parcels shall be preserved for conservation purposes, for the promotion and development of natural resources, for passive recreation, and for the protection of the watershed resources of the City of Amesbury, under the provisions of M.G.L. c. 40, §8C, M.G.L. c. 45, §3, as they may hereafter be amended, and of Amended Article 97 of the Massachusetts Constitution. The range of current passive recreation and land use practices shall continue to be allowed and may be altered from time to time by the Conservation Commission in coordination with Mayor’s office or their designee;
- c. Current passive uses include but are not limited to: dog-walking, other non-motorized trail-based activities, mountain biking, snow-shoeing, non-motorized hobby activities, bird watching, trail running and walking, and other low-impact activities. Activities requiring the use of motorized vehicles are hereby prohibited unless otherwise specifically authorized under separate City ordinances/legislation. The previous sentence shall not be construed so as to prohibit the use of authorized municipal maintenance or emergency response vehicles.

2. Land Management

- a. The parcels so enumerated in Section 1a above and the parcels denoted in Section 2b below shall be considered as a single administrative area for planning and management purposes.
- b. Incorporated parcels from 2021-077, a previously approved measure:
 - 1.36 Kimball Road, Assessor’s Map 61/7
 - 2.85 Haverhill Road Rear, Assessor’s Map 62/3
 - 3.79 Haverhill Road Rear, Assessor’s Map 74/2

References:

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40/Section8C>

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter45/Section3>

<https://malegislature.gov/Laws/Constitution#partTheFirst>

<https://malegislature.gov/Laws/Constitution#amendmentArticleXCVII>

Attachments:

Map files to be added

File Name: Bill2021-102_MAP A_Overview_BWOrthophoto_9.27.21_without Parcel 61.5.pdf

Councilor Stanganelli moved to approve with the removal of section 1, #4. He was seconded by Councilor Rinaldi and the motion passed 8-1 (Kisielecki no).

Witness my hand and seal for the City of Amesbury this 18th day of October, 2021



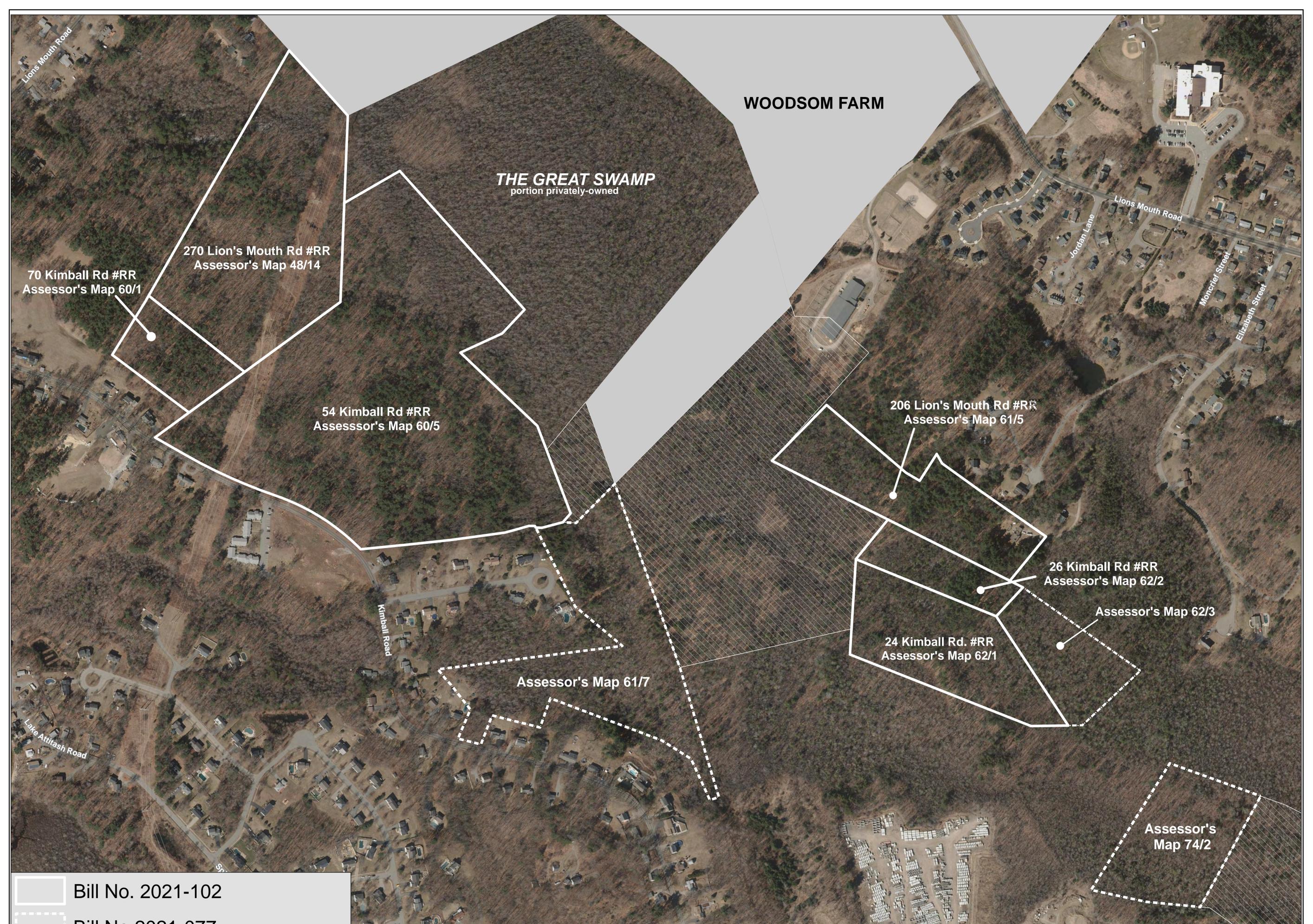
City Clerk



Mayor

10-18-21

Date



WOODSOM FARM

THE GREAT SWAMP
portion privately-owned

70 Kimball Rd #RR
Assessor's Map 60/1

270 Lion's Mouth Rd #RR
Assessor's Map 48/14

54 Kimball Rd #RR
Assessor's Map 60/5

206 Lion's Mouth Rd #RR
Assessor's Map 61/5

26 Kimball Rd #RR
Assessor's Map 62/2

24 Kimball Rd. #RR
Assessor's Map 62/1

Assessor's Map 62/3

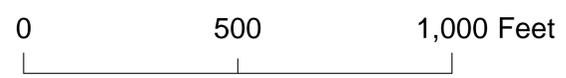
Assessor's Map 61/7

Assessor's
Map 74/2

-  Bill No. 2021-102
-  Bill No.2021-077
-  Woodsom Farm
-  Essex County Greenbelt Assoc.

* Corrected Street Address Reference for Assessor Map 61/5 to Reflect Proper Address: 206 Lion's Mouth Rd #R

**Parcels Referenced in
Bill No. 2021-102**



Map for illustrative purposes only. Boundaries are approximate.
2019 Orthophotos;1:5,000. All data other than Greenbelt
properties from MassGIS. Map created 9-24-21 by Greenbelt.

