

in section five.

SECTION 3. The department of environmental management shall undertake a cooperative program with the department of fisheries, wildlife and recreational vehicles for timber stand management and harvest consistent with sound wildlife management practice.

SECTION 4. There shall be an unpaid board of seven persons to be known as the citizens advisory board, consisting of two persons to be nominated by the mayor and city council of the city of Gardner; two persons to be nominated by the selectmen of the town of Ashburnham; two persons to be nominated by the selectmen of the town of Westminster and one person to be nominated by the Montachusett Regional Planning Commission. The secretary of the executive office of environmental affairs shall approve or disapprove said nominees and if approved, they shall be appointed by said secretary. In case of disapproval, the secretary shall request another nominee from the proper nominating authority. Board members shall serve for three years from December first of the year of their appointment or until the appointment of their successors.

SECTION 5. The departments of food and agriculture, fisheries, wildlife and recreational vehicles, environmental management and the citizens advisory board shall jointly develop and agreeable land use management plan which shall be approved by the secretary of the executive office of environmental affairs. Any disputes arising between agencies regarding management policies or practices shall be resolved by the said secretary.

Approved July 19, 1978

---

Chap. 506. AN ACT AUTHORIZING THE COMMONWEALTH TO TAKE FOUR CERTAIN TRACTS OF LAND IN THE TOWNS OF SPENCER AND LEICESTER.

Be it enacted, etc., as follows:

The water resources commission, acting for and in behalf of the commonwealth is hereby authorized to take by eminent domain under chapter seventy-nine of the General Laws or acquire by purchase or otherwise the following described tracts of land or easements therein, or both, for the purpose of flood prevention and related purposes including water resources utilization and other purposes and uses as authorized by chapter twenty-one of the General Laws and chapter five hundred and seventy-one of the acts of nineteen hundred and sixty-two, said land being located in the town of Spencer and the town of Leicester and owned by the town of Spencer and the commonwealth and under the control of the department of fisheries and wildlife:

The first tract of land being located in the town of Spencer on the southeasterly side of Donnelly Cross road owned by the town of Spencer and shown as tract 6 on a plan by Cullinan Engineering Company, Inc., titled "Plan of Land in the Towns of Spencer & Leicester to be taken for Reservoir Purposes", dated January 1975, bounded and described as follows:

Beginning at a point of tangency on the southeasterly sideline

of Donnelly Cross Road at the most southwesterly corner of the Tract to be described: said point being the point of curvature of a rounding to a Right-of-Way known as Easterlee Drive and also being the most northwesterly corner of Tract 5;

THENCE in part along a stone wall and the southeasterly sideline of Donnelly Cross Road, the following 5 courses;

N 26° 28' 36" E, a distance of 243.49 feet to an angle point;

N 31° 01' 02" E, a distance of 127.37 feet to an angle point;

N 35° 00' 47" E, a distance of 135.21 feet to an angle point;

N 61° 26' 48" E, a distance of 91.11 feet to an angle point;

AND N 70° 36' 23" E, a distance of 74.02 feet to a point at Tract 7 as shown on the aforementioned plan;

THENCE S 68° 45' 50" E along a fence and Tract 7, a distance of 258.31 feet to a drill hole in a boulder;

THENCE S 56° 57' 45" E along a fence and Tract 7, a distance of 143.67 feet to an iron pipe on the westerly sideline of Moose Hill Road;

THENCE S 01° 44' 58" W in part along a fence and a stone wall on the westerly sideline of said road, a distance of 519.32 feet to an iron pipe at Tract 8;

THENCE along Tract 8, the following 3 courses;

N 66° 10' 36" W, a distance of 55.07 feet to an iron pipe;

S 02° 43' 53" W, a distance of 100.00 feet to a point;

AND S 49° 29' 37" E, a distance of 65.00 feet to an iron pipe at the westerly sideline of Moose Hill Road;

THENCE S 02° 43' 53" W along the westerly sideline of said road, a distance of 50.61 feet to a point at Tract 9;

THENCE N 49° 29' 37" W along Tract 9, a distance of 118.94 feet to a point;

THENCE S 08° 04' 41" W along Tract 9, a distance of 410.12 feet to a point at Tract 10;

THENCE N 55° 52' 37" W along a fence and Tract 10, a distance of 99.37 feet to an angle point;

THENCE N 55° 36' 27" W in part along a fence and a stone wall and Tract 10, a distance of 415.52 feet to a drill hole at Tract 4;

THENCE N 55° 16' 39" W along a stone wall and Tract 4, a distance of 192.30 feet to a point at Tract 5;

THENCE N 29° 28' 51" E along Tract 5, a distance of 266.48 feet to a point said point also being on the southwesterly sideline of the aforementioned Easterlee Drive;

THENCE N 61° 37' 02" W along the southwesterly sideline of said drive and Tract 5, a distance of 127.55 feet to a point of curvature of a rounding to Donnelly Cross Road;

THENCE by a curve to the left having a radius of 20.00 feet, an arc distance of 30.75 feet to the point of beginning.

The above described tract contains 13.8 acres more or less and was taken by the town of Spencer for tax purposes on December 8, 1967 and is recorded at the Worcester district registry of deeds in Book 4815 page 62.

The second tract of land being located in the town of Spencer on the westerly side of Moose Hill road owned by the town of Spencer and shown as tract 8 on a plan by Cullinan Engineering Company, Inc., titled "Plan of Land in the Towns of Spencer & Leicester to be taken for Reservoir Purposes", dated January

1975, bounded and described as follows:

Beginning at an iron pipe on the westerly sideline of Moose Hill Road at the most northeasterly corner of the Tract to be described; said point being S 01° 44' 58" W and 519.32 feet from an iron pipe at the northeasterly corner of Tract 6 as shown on the aforementioned plan;

THENCE S 02° 43' 53" W along a stone wall and the westerly sideline of Moose Hill Road, a distance of 120.00 feet to an iron pipe on the sideline of a forty (40) foot right-of-way known as Easterlee Drive also being at Tract 6;

THENCE N 49° 29' 37" W along said right-of-way and Tract 6, a distance of 65.00 feet to a point;

THENCE N 02° 43' 53" E along Tract 6, a distance of 100.00 feet to an iron pipe;

THENCE S 66° 10' 36" E along Tract 6, a distance of 55.07 feet to the point of beginning.

The above described tract contains 5,652 square feet more or less and was taken by the town of Spencer for tax purposes on April 11, 1974 and is recorded at the Worcester district registry of deeds in Book 5474 Page 20.

The third tract of land being located in the town of Spencer on the southeasterly side of Donnelly, Cross road and the westerly side of Moose Hill road and is owned by the Commonwealth of Massachusetts, Department of Fisheries, Wildlife and Recreational Vehicles, Division of Fisheries and Wildlife and shown as Tract 7 on a plan by Cullinan Engineering Company, Inc., titled "Plan of Land in the Towns of Spencer & Leicester to be taken for Reservoir Purposes", dated January 1975, bounded and described as follows:

Beginning at the point of intersection of the southeasterly sideline of Donnelly Cross Road with the westerly sideline of Moose Hill Road;

THENCE S 03° 28' 57" W along the westerly sideline of Moose Hill Road, a distance of 349.05 feet to an iron pipe at Tract 6;

THENCE N 56° 57' 45" W along a fence and said Tract 6, a distance of 143.67 feet to a drill hole in a boulder;

THENCE N 68° 45' 50" W along the fence and Tract 6, a distance of 258.31 feet to a point on the southeasterly sideline of Donnelly Cross Road;

THENCE N 70° 36' 23" E along said sideline, a distance of 263.08 feet to an angle point;

AND N 56° 24' 53" E, a distance of 161.16 feet to the point of beginning.

The above described tract contains 1.28 acres more or less and was acquired by the commonwealth through the division of fisheries and game for the protection and management of fisheries and wildlife on June 1, 1970 and is recorded at the Worcester district registry of deeds in Book 5077 Page 335.

The fourth tract of land being located in the towns of Spencer and Leicester on the easterly side of Moose Hill road and is owned by the Commonwealth and shown as tract 15 on a plan by Cullinan Engineering Company, Inc., titled "Plan of Land in the Towns of Leicester & Spencer to be taken for Reservoir Purposes", dated January 1975, bounded and described as follows:

Beginning at a point on the easterly sideline of Moose Hill

Road in Spencer at the southwesterly corner of the Tract to be described; said point also being the northwesterly corner of Tract 14 as shown on the aforementioned plan;

THENCE along the easterly sideline of said Moose Hill Road the following 3 courses:

N 02° 43' 53" E, a distance of 269.13 feet to an angle point;

N 01° 44' 58" E, a distance of 519.04 feet to an angle point;

AND N 03° 28' 57" E, a distance of 373.49 feet to the point of intersection of said easterly sideline with the southeasterly sideline of Donnelly Cross Road;

THENCE N 56° 24' 53" E along said sideline crossing the Spencer/Leicester Town line, a distance of 49.77 feet to an angle point;

THENCE N 59° 17' 51" E along said sideline, a distance of 334.32 feet to a drill hole in a stone wall at Tract 17;

THENCE S 43° 17' 19" E along a stone wall and Tract 17, a distance of 372.25 feet to a drill hole in a boulder;

THENCE S 64° 07' 27" E along a fence and Tract 17, a distance of 529.10 feet to a drill hole in a boulder;

THENCE S 04° 11' 34" W along a fence and Tract 16, a distance of 863.52 feet to a drill hole in a boulder at Tract 14;

THENCE N 89° 45' 28" W along Tract 14, a distance of 1048.46 feet to the point of beginning.

The above described tract contains 27.4876 acres more or less and was acquired by the Commonwealth division of fisheries and game for the protection and management of fisheries and wildlife on June 1, 1970 and is recorded at the Worcester district registry of deeds in Book 5077 Page 335.

Approved July 19, 1978

EMERGENCY LETTER - August 2, 1978 @ 12:26 P.M.

---

Chap. 507. AN ACT AUTHORIZING THE COMMISSIONER OF ENVIRONMENTAL MANAGEMENT TO LEASE TO THE TOWN OF SANDWICH A PARCEL OF LAND IN SHAWME-CROWELL STATE FOREST FOR USE AS A SANITARY LANDFILL.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of environmental management, acting for and on behalf of the commonwealth, is hereby authorized to lease to the town of Sandwich for a period of twelve years, a certain parcel of land in the Shawme-Crowell State Forest, for use as a sanitary landfill. Said parcel being bounded and described as follows:

Beginning at a point on the easterly layout line of Mashpee Road (Route 130), said point being 57 feet more or less north of Massachusetts Highway Bound at Station 66 + 68.27 of the April 1948 Alteration (Layout No. 3408) and the northerly edge of a dirt road:

thence; northeasterly and southeasterly along the northerly edge of the dirt road, 870 feet more or less to a point on the westerly line of land now or formerly of Sea Lake Corporation;

thence; N-33°-50'-00"-W, 30 feet more or less to a point;