

ARTICLE 16

Article 16 : To see if the Town will vote to apply to the Secretary of Environmental Affairs pursuant to Sections 31-33 of Chapter 184 of the General Laws and any other applicable law to place a Conservation Restriction to be held in perpetuity by the Trustees of reservations, Plymouth Wildlands Trust or any other non profit conservation or land trust organization on a 64 acre parcel of land identified by the Assessor Map 40, Lots 71 & 90, and Map 47, Lots 43 & 47 recorded in the Plymouth County Registry of Deeds Land Records Book 17426, Page 101, said parcel also being known as the Griffin's Dairy parcel, to preserve the unique qualities of this parcel which are necessary to protect quality of the public drinking water supply of the Town of Abington, or take any other action relative thereto.

BY PETITION

Conservation Restriction Griffin's Dairy

Chapter 184: Section 31. Restrictions, defined

Section 31. A conservation restriction means a right, either in perpetuity or for a specified number of years, whether or not stated in the form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of the land or in any order of taking, appropriate to retaining land or water areas predominantly in their natural, scenic or open condition or in agricultural, farming or forest use, to permit public recreational use, or to forbid or limit any or all (a) construction or placing of buildings, roads, signs, billboards or other advertising, utilities or other structures on or above the ground, (b) dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste or unsightly or offensive materials, (c) removal or destruction of trees, shrubs or other vegetation, (d) excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance in such manner as to affect the surface, (e) surface use except for agricultural, farming, forest or outdoor recreational purposes or purposes permitting the land or water area to remain predominantly in its natural condition, (f) activities detrimental to drainage, flood control, water conservation, erosion control or soil conservation, or (g) other acts or uses detrimental to such retention of land or water areas.

In 1998 the Town of Abington exercised its "RIGHT OF FIRST REFUSAL" to purchase 64 acres of land laying part in the Town of Rockland and part in the Town of Abington. In this process the RESIDENTS of the Town of Abington exercised their intent to purchase this property to PREVENT a construction company from developing the property and building Condominiums.

During the 1998 Annual Town Meeting you heard various people speak out saying it would be preserving the land. The Finance Committee went on record as saying that a few lots of land could be sold off to recoup some of the purchase cost.

At NO TIME did anyone stand up and speak of developing this property. NO ONE spoke of building baseball fields.

NO ONE spoke of building football fields.
NO ONE spoke about buying this land for the Town of Abington to develop.
NO ONE spoke about building a school.

On the issue of building a school on that property. For 5 years the Griffin's Dairy Study Committee met and **NEVER ONCE** did the Abington School Department respond to that study committee with a hint that the land could be used for a **FUTURE** school site. **NEVER!**

Many residents who went to the polls to vote to raise their taxes went with the **INTENT** that they were voting to buy this land to preserve the natural values it possesses and prevent future development on it.

Keep in mind that once this parcel of land, that has historically been used for agricultural purposes, is gone, it is **GONE FOREVER**. We can trace the history back to 1830 via deeds but it is believed that agriculture usage on this land dates back to the Colonial days due to the post and beam construction of part of the barn.

The Town of Rockland, in which approximately 32 acres of this farm sits, will gain 32 acres of open space. This land is protected under the Wetlands Protection Act as well as other State and Federal laws and will **ALWAYS** remain in its natural state.

The entire parcel of land off Bellows Circle, which contains 7 $\frac{1}{4}$ acres, can't be developed due to its wetland classification. The remaining 25 acres in Abington contains a various amount of wetlands and the actual wetlands boundary and resource classification is the subject of disagreement.

No matter what you call them ditches, swales or depressions in the ground. If it flows water and has supporting wetlands it is classified as a stream under State and Federal laws.

There is a fundamental difference of opinions on what to do with this land.

On one side you have those who desire to preserve it for the historic agricultural values that not only serve the Town of Abington but this region of Massachusetts. They realize that once these values are gone there is **NOTHING** that can be done to restore them.

On the other side you have those who desire to develop the land making the argument that it makes financial sense because of its size, open characteristics and availability to sewerage facilities.

The PETITION ARTICLE 16 is being presented to the Town of Abington on behalf of those who voted and believe that this land was purchased for and should remain open space. The only way to do this is to put it in writing!

It is asked that you support passage of Article 16 on April 7th at the Annual Town Meeting.

**James M. Dombrowski
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