

SECTION 5: INVENTORY OF LANDS OF CONSERVATION & RECREATION INTEREST

Article 97 of the State Constitution provides permanent protection for certain lands acquired for natural resources purposes, meaning “conservation, development and utilization of the agricultural, mineral, forest, water, air and other natural resources.” Lands of this nature are often owned by the municipal conservation commission, recreation commission, water department, or by a state or federal conservation agency (i.e., the EOEA or the Division of Fish & Wildlife). Private, public and non-profit conservation and recreation lands can also be protected under Article 97. Removing the permanent protection status of such lands is extremely difficult, as is evidenced by the following required steps:

- The municipal conservation commission or recreation commission must vote that the land in question is surplus to its needs;
- The removal of permanent protection status must be approved at a Town Meeting/City Council vote and pass by a 2/3 vote;
- The municipality must file an Environmental Notification Form with the EOEA’s Massachusetts Environmental Policy Act (MEPA);
- The removal of permanent protection status must be approved by the State Legislature and pass by a 2/3 vote; and
- In the case of land either acquired or developed with grant assistance from the EOEEA’s Division of Conservation Services, the converted land must be replaced with land of equal monetary value and recreational or conservation utility.

In other words, it is intentionally difficult to remove a property’s permanent protection status so that it may be developed. Private lands can also be protected in perpetuity through deed restrictions or conservation easements. Municipal lands under active use (schools, town halls, highway department facilities, police/fire facilities, etc.) are *not* considered permanently protected, nor are private lands that are within the State’s special taxation programs (Chapter 61)

Table OSR-8
North Brookfield Land Protection Summary

<u>Description and Status</u>	<u># of Parcels</u>	<u>Acres</u>
Town Owned Limited Protection (municipal buildings)	20	76.37
Town-Owned Permanently Protected (conservation land, cemeteries, recreation)	31	409.67
State-Owned Permanently Protected	20	745.12
Privately-Owned Permanently Protected (Mass Audubon, APR)	18	1,052.49
Privately Owned Limited Protection	140	4,164.38
Total Amount of Land Permanently Protected	35	2,207.28
Total Amount of Land Under Limited Protection	160	4,240.75

The vast majority of privately owned parcels that have “limited protection” status (121 of 140 such parcels) fall under the Chapter 61 taxation program that offers a lower valuation to property owners who keep their land in its natural forested state. The majority of these properties are located in the north and west parts of Town but there are Chapter 61 properties located throughout North Brookfield. North Brookfield has 2,207 acres of land under permanent protection (or 14.4% of the Town’s total land area), and 4,241 acres of land having limited protection status (or 30.2% of the Town’s total land area). All told, North Brookfield has 6,238 acres of land (or close to half of Town’s total land area) having some degree of protection.



B. Town-Owned Recreation Facilities

The Town of North Brookfield has a Playground Committee that is responsible for recreation planning and programming. The members of this three-person committee are elected and it usually meets once a month. The Committee does not have any paid staff. There are six active recreation facilities in Town and a fourth facility (Town Beach) that North Brookfield shares with East Brookfield.



**Table OSR-9
Permanently Protected Land in North Brookfield**

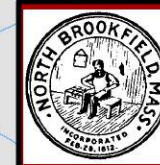
Parcel Number	Owner/Manager	Use	Funds Used	Condition	Recreation Potential	Public Access	Acres	Zoning	Protection
Map 4 Block 84 Lot 70	NB Water Department	Watershed Protection	Town	Excellent	Low	Free	0.19	R-66	Perpetuity
Map 9 Block 84 Lot 44	NB Water Department	Watershed Protection	Town	Excellent	Low	Free	0.44	R-66	Perpetuity
Map 28 Block 67 Lot 99	NB Water Department	Pump Station	Town	Excellent	Low	Free	1.00	R-30	Perpetuity
Map 4 Block 84 Lot 74	NB Water Department	Watershed Protection	Town	Excellent	Low	Free	1.02	R-66	Perpetuity
Map 4 Block 86 Lot 9	NB Water Department	Watershed Protection	Town	Excellent	Low	Free	1.32	R-66	Perpetuity
Map 21 Block 83 Lot 40	NB Water Department	Watershed Protection	Town	Excellent	Low	Free	1.40	R-30	Perpetuity
Map 4 Block 84 Lot 88	NB Water Department	Watershed Protection	Town	Excellent	Low	Free	2.70	R-66	Perpetuity
Map 9 Block 84 Lot 52	NB Water Department	Watershed Protection	Town	Excellent	Low	Free	2.82	R-66	Perpetuity
Map 3 Block 84 Lot 91	NB Water Department	Watershed Protection	Town	Excellent	Low	Free	3.00	R-66	Perpetuity
Map 9 Block 84 Lot 48	NB Water Department	Watershed Protection	Town	Excellent	Low	Free	3.56	R-66	Perpetuity
Map 43 Block 57 Lot 59	NB Water Department	Watershed Protection	Town	Excellent	Low	Free	15.93	IND	Perpetuity
Map 15 Block 83 Lot 74	NB Water Department	Water Dept.	Town	Excellent	Low	Free	19.00	R-30	Perpetuity
Map 21 Block 80 Lot 14	NB Water Department	Watershed Protection	Town	Excellent	Low	Free	27.38	R-30	Perpetuity
Map 15 Block 83 Lot 75	NB Water Department	Watershed Protection	Town	Excellent	Low	Free	114.00	R-30/R-66	Perpetuity
Map 21 Block 83 Lot 10	Town of North Brookfield	Recreation	Town	Good	High	Free	62.25	R-11/R-30/R/66	Perpetuity

Map 101 Block 24 Lot 13	Town of North Brookfield	Recreation	Town	Good	High	Free	0.81	R-11	Perpetuity
Map 106 Block 3 Lot 188	Town of North Brookfield	Town Park	Town	Good	High	Free	0.15	R-11	Perpetuity
Map 36 Block 51 Lot 30	Town of North Brookfield	Cemetery	Town	Excellent	Low	Free	0.23	R-66	Perpetuity
Map 19 Block 65 Lot 20	Town of North Brookfield	Cemetery	Town	Excellent	Low	Free	0.58	R-66	Perpetuity
Map 33 Block 100 Lot 95.A	Town of North Brookfield	Cemetery	Town	Excellent	Low	Free	0.80	R-30	Perpetuity
Map 29 Block 7 Lot 101	Town of North Brookfield	Cemetery	Town	Excellent	Low	Free	2.00	R-66	Perpetuity
Map 103 Block 41 Lot 20	Town of North Brookfield	Cemetery	Town	Excellent	Low	Free	2.46	R-11	Perpetuity
Map 38 Block 61 Lot 44	NB Conservation Commission	Conservation	Town	Excellent	Low	Free	3.87	Ind	Perpetuity
Map 104 Block 10 Lot 50	Town of North Brookfield	Town Common	Town	Good	High	Free	4.50	R-66	Perpetuity
Map 32 Block 7 Lot 100	Town of North Brookfield	Cemetery	Town	Excellent	Low	Free	12.10	R-66	Perpetuity
Map 19 Block 65 Lot 13	Town of North Brookfield	Town Forest	Town	Excellent	Medium	Free	14.00	R-66	Perpetuity
Map 37 Block 1 Lot 20	Town of North Brookfield	Town Forest	Town	Excellent	Medium	Free	16.50	R-30/R-66	Perpetuity
Map 23 Block 102 Lot 16	Town of North Brookfield	Town Forest	Town	Excellent	Medium	Free	16.80	R-66	Perpetuity
Map 45 Block 105 Lot 98	Town of North Brookfield	Town Forest	Town	Excellent	Medium	Free	17.86	R-66	Perpetuity
Map 38 Block 56 Lot 56	NB Conservation Commission	Conservation	Town	Excellent	Low	Free	28.10	BG/Ind./ R-66	Perpetuity
Map 37 Block 1 Lot 19	Town of North Brookfield	Town Forest	Town	Excellent	Medium	Free	32.90	R-66	Perpetuity
Map 20 Block 78 Lot 105	Roman Catholic Bishop of Worcester	Cemetery	Private	Excellent	Low	Free	4.21	R-66	Perpetuity

Map 20 Block 78 Lot 103	Roman Catholic Bishop of Worcester	Cemetery	Private	Excellent	Low	Free	15.06	R-66	Perpetuity
Map 47 Block 60 Lot 19	MASS AUDUBON SOCIETY	Conservation	Private	Excellent	Medium	Free	2.68	R-66	Perpetuity
Map 46 Block 55 Lot 80	MASS AUDUBON SOCIETY	Conservation	Private	Excellent	Medium	Free	533.90	R-66	Perpetuity
Map 26 Block 102 Lot 18	Com. of MA Water Resources Division	Watershed Protection	State	Excellent	Low	Prohibited	28.80	R-66	Perpetuity
Map 17 Block 91 Lot 37	Com. of MA Water Resources Division	Watershed Protection	State	Excellent	Low	Prohibited	176.70	R-66	Perpetuity
Map 45 Block 105 Lot 92	Com. of MA State Forest Region 3	State Forest	State	Excellent	Medium	Free	37.00	R-66	Perpetuity
Map 35 Block 101 Lot 8	Com. of MA State DFW	Five Mile River WMA	DFWELE	Excellent	Medium	Free	2.12	R-66	Perpetuity
Map 35 Block 103 Lot 6	Com. of MA State DFW	Five Mile River WMA	DFWELE	Excellent	Medium	Free	2.82	R-66	Perpetuity
Map 40 Block 103 Lot 59	Com. of MA State DFW	Five Mile River WMA	DFWELE	Excellent	Medium	Free	3.00	R-66	Perpetuity
Map 41 Block 54 Lot 5	Com. of MA State DFW	State	DFWELE	Excellent	Medium	Free	8.14	R-66	Perpetuity
Map 35 Block 101 Lot 10	Com. of MA State DFW	Five Mile River WMA	DFWELE	Excellent	Medium	Free	9.25	R-66	Perpetuity
Map 41 Block 54 Lot 3	Com. of MA State DFW	State	DFWELE	Excellent	Medium	Free	11.25	R-66	Perpetuity
Map 40 Block 103 Lot 53	Com. of MA State DFW	Five Mile River WMA	DFWELE	Excellent	Medium	Free	12.00	R-66	Perpetuity
Map 35 Block 101 Lot 38	Com. of MA State DFW	Five Mile River WMA	DFWELE	Excellent	Medium	Free	14.32	R-66	Perpetuity
Map 14.Q Block 1704 Lot 102.1	Com. of MA State DFW	State	DFWELE	Excellent	Medium	Free	14.32	R-66	Perpetuity
Map 41 Block 1 Lot 72	Com. of MA State DFW	State	DFWELE	Excellent	Medium	Free	15.01	R-66	Perpetuity
Map 41 Block 1 Lot 70	Com. of MA State DFW	State	DFWELE	Excellent	Medium	Free	15.66	R-66	Perpetuity

Map 1 Block 72 Lot 39	Com. of MA State DFW	North Brookfield WMA	DFWELE	Excellent	Medium	Free	20.98	R-66	Perpetuity
Map 40 Block 103 Lot 29	Com. of MA State DFW	Five Mile River WMA	DFWELE	Excellent	Medium	Free	22.00	R-66	Perpetuity
Map 14.Q Block 1802 Lot 103	Com. of MA State DFW	State	DFWELE	Excellent	Medium	Free	50.06	R-66	Perpetuity
Map 6 Block 72 Lot 38	Com. of MA State DFW	North Brookfield WMA	DFWELE	Excellent	Medium	Free	57.00	R-66	Perpetuity
Map 35 Block 103 Lot 10	Com. of MA State DFW	Five Mile River WMA	DFWELE	Excellent	Medium	Free	96.75	R-66	Perpetuity
Map 14.Q Block 1704 Lot 102	Com. of MA State DFW	State	DFWELE	Excellent	Medium	Free	147.94	R-66	Perpetuity
Map 1 Block 75 Lot 63	Morin, Roland W & Judith	APR Land	Private	Good	Low	Free	58.70	R-66	Perpetuity
Map 3 Block 84 Lot 75	Tierney, Ann	APR Land	Private	Good	Low	Free	96.81	R-66	Perpetuity
Map 4 Block 86 Lot 5	Mendala, Sophie (Estate of)	APR Land	Private	Good	Low	Free	8.70	R-66	Perpetuity
Map 4 Block 86 Lot 13	Mendala, Sophie (Estate of)	APR Land	Private	Good	Low	Free	38.01	R-66	Perpetuity
Map 4 Block 86 Lot 14	Mendala, Sophie (Estate of)	APR Land	Private	Good	Low	Free	35.64	R-66	Perpetuity
Map 4 Block 86 Lot 16	Tierney, Ann	APR Land	Private	Good	Low	Free	14.26	R-66	Perpetuity
Map 8 Block 1 Lot 79	Cutrumbes, John G & Carol J	APR Land	Private	Good	Low	Free	39.26	R-66	Perpetuity
Map 8 Block 81 Lot 92	Cutrumbes, John G & Carol J	APR Land	Private	Good	Low	Free	28.00	R-66	Perpetuity
Map 10 Block 84 Lot 60	Gregoire, Robert E Jr. & Kathy J	APR Land	Private	Excellent	Low	Free	10.10	R-66	Perpetuity
Map 15 Block 84 Lot 35	Gregoire, Robert E Jr. & Kathy J	APR Land	Private	Excellent	Low	Free	83.90	R-30/R-66	Perpetuity
Map 15 Block 84 Lot 36	Gregoire, Robert E Jr. & Kathy J	APR Land	Private	Excellent	Low	Free	21.70	R-30/R-66	Perpetuity

Map 15 Block 84 Lot 39	Gregoire, Robert E Jr. & Kathy J	APR Land	Private	Excellent	Low	Free	3.20	R-66	Perpetuity
Map 30 Block 63 Lot 3	Edwards, George L & Hannah S	APR Land	Private	Good	Low	Free	21.56	R-66	Perpetuity
Map 36 Block 51 Lot 23	Edwards, George L & Hannah S	APR Land	Private	Good	Low	Free	36.80	R-66	Perpetuity



Town of North Brookfield Open Space Plan Protected Lands

- Legend**
- | | |
|---------------|------------------|
| Town Boundary | Open Space Lands |
| Interstate | State |
| U.S. Route | Municipal |
| State Route | Non-profit |
| Local | Private |
| Water Bodies | APR |
| Streams | CR |

Feet
0 700 1,400 2,800 4,200 5,600



Source: Data provided the Town of North Brookfield, the Central Massachusetts Regional Planning Commission (CMRPC), by MassHighway and the Executive Office of Environmental Affairs/MassGIS (EOEA/MassGIS).

Information depicted on this map is for planning purposes only. This information is not adequate for legal boundary definition, regulatory interpretation, or parcel-level analysis. Use caution interpreting positional accuracy.

Produced by the Central Massachusetts Regional Planning Commission (CMRPC)
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Printed April 17 2007 MDF
North Brookfield Open Space Plan 2007
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