



CITY of GARDNER
Office of the City Clerk
95 Pleasant Street, Room 121
Gardner, MA 01440
*Tel. 978-630-4058 *Fax: 978-630-2589

CITY OF GARDNER
NOTICE OF JOINT PUBLIC HEARING

Pursuant to G.L. 40A, § 5, notice is hereby given that the City Council and Planning Board will conduct a **Joint Public Hearing** on **Monday, March 20, 2023 at 6:30 P.M.** in the City Council Chamber, Room 219, City Hall, 95 Pleasant Street, Gardner, to consider amending Chapter 675, the Zoning Code of the City of Gardner. The proposed Amendment involves changing items:

- **10891** – An Ordinance to Amend the Code of the City of Gardner, Chapter 675 Thereof, entitled “Zoning,” to Change the Classification of Certain Parcels of Land Along Route 140.
- **10892** – An Ordinance to Amend the Code of the City of Gardner, Chapter 675 thereof, entitled “Zoning,” to add “Sports Betting” to the Zoning Table of Uses.
- **10893** – An Ordinance to Amend the Code of the City of Gardner, Chapter 675 thereof, entitled “Zoning,” to Amend Section 1070 thereof, entitled, “Marijuana Establishments” to increase the quota allowed by the Code of the City of Gardner

Information regarding this amendment is available for viewing in the City Clerk’s Office, the Department of Community Development and Planning (DCDP), or on the City’s webpage – www.gardner-ma.gov.

All persons interested in this matter and desire to offer testimony are invited to attend the hearing.

Titi Siriphan
City Clerk



City of Gardner - *Executive Department*
 Mayor Michael J. Nicholson

February 3, 2023

Hon. Elizabeth J. Kazinskas, Council President
 And City Councilors
 Gardner City Hall, Rm 121
 95 Pleasant St
 Gardner, MA 01440

RE: An Ordinance to Amend The Code Of The City Of Gardner, Chapter 675 Thereof, Entitled "Zoning," To Change The Classifications Of Certain Parcels Of Land Along Route 140

Dear Madam President and Councilors,

At their meeting of February 2, 2023, the Traffic Commission voted to recommend that the Administration look into ways to reduce or eliminate future residential house development along the section of Route 140 between Green Street and the border with the Town of Winchendon.

This idea was originally proposed in 2010, when the Montachusett Regional Planning Commission ("MRPC") performed a study for the City of Gardner and the Towns of Ashburnham and Winchendon regarding the future growth at the location.

This study found that as things currently stand – as no changes have been made since the study was published- there is potential for 792 new single-family homes to be constructed in this area with the current zoning being designated as Rural Residential 2. (Page 4 of Study). This study also stated that at that rate of growth in this area of the there be a strain on the existing water infrastructure that exists in the area. (Page 4 of Study).

The concerns raised by the Traffic Commission recently came from the increased number of very serious accidents that have occurred in the area. While the Gardner Police Department and the Department of Public Works are in discussion with safety improvements with the Massachusetts Department of Transportation ("MassDOT"), adding additional driveways for residences in the area would only exacerbate the problem.

In following the suggestions made in the 2010 study, the attached ordinance proposal requests to change the zoning for the area from Rural Residential 2 to Commercial 2. While the Study suggested changing the zoning to either a commercial or industrial designation, the Administration is requesting a change to Commercial 2, since the City Forrest is in the area of these proposed changes and Commercial 2 uses provide the safest environmental options for the area instead of uses allowed in Industrial areas or Commercial 1. (Please note that the Parcel which houses the City Forrest – M42-14-3 – is not included in this zoning change since that is protected by Article 97 of the Constitution of the Commonwealth).

As is the same case with all zoning changes, if there are any current uses of the properties in the area, they would be grandfathered for any residences that already exist in this location.

Furthermore, I understand that the City is one of the largest land owners in the area. However, with the amount of growth that Gardner has seen in the last 2 – 3 years, with over 33 businesses opening their doors and the amount of residential investments we have seen, the City needs to plan and prepare for potential smart growth in the area that considers things like more reasonable traffic flows and controls and protection of the City Forest, while still meeting the City's economic and commercial development goals for the population that currently exists here and is steadily growing.

Any commercial growth in the area would be easily controlled through site plan approval rather than having no control over hundreds of new residential curb cuts to the area.

It is the belief of the Administration that this change will be in the best interest of the City, will improve the safety of the area, and will allow the City to plan for smarter growth to an area in a way that best suits our needs.

Respectfully,

A handwritten signature in blue ink, appearing to read "Michael J. Nicholson".

Michael J. Nicholson
Mayor, City of Gardner

CC:
Gardner Planning Board
City Council Public Welfare Committee

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 675 THEREOF, ENTITLED "ZONING," TO CHANGE THE CLASSIFICATIONS OF CERTAIN PARCELS OF LAND ALONG ROUTE 140.

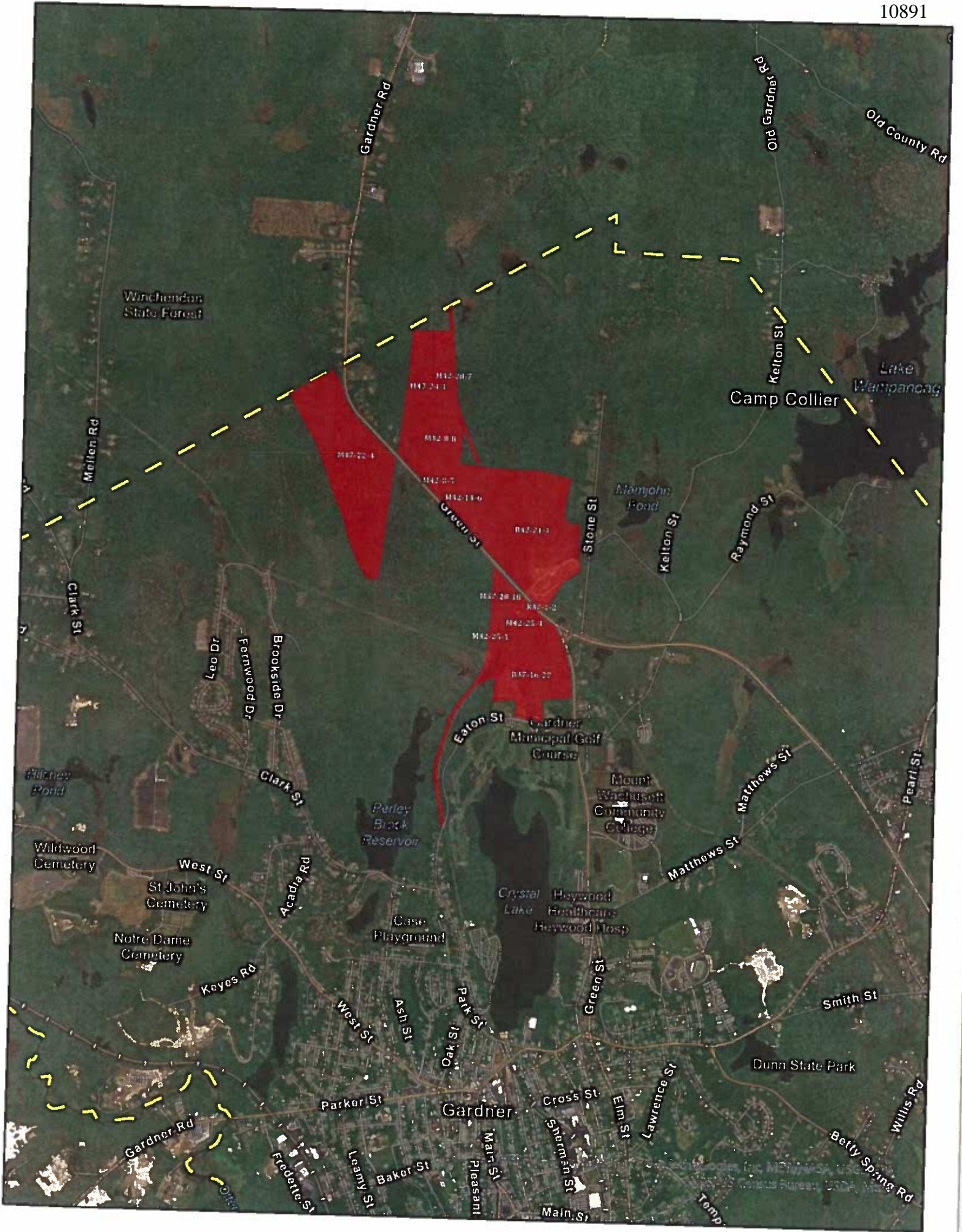
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDNER AS FOLLOWS:

PREAMBLE: That "An Ordinance Establishing the Boundaries of the City with Regulations and Restrictions to be Enforced and to be known as the Zoning Code" (Chapter 675) adopted by the City Council December 9, 1970 and amended several times thereafter be further amended as follows:

SECTION 1: By changing the classification from Rural Residential 2 to Commercial 2 for twelve (12) parcels of land situated northernly and southernly of Route 140 Street, being parcels M47-22-4, M47-24-1 (that portion west of bike trail parcel M42-20-7), M42-8-8, M42-8-5, M42-20-7, R42-21-1, R37-1-2, M42-14-6, M42-25-1, M37-20-10, M42-25-3, and R37-16-27 on the City of Gardner Assessor's Map.

Total area of proposed zoning change being approximately 462.5 acres.

SECTION 2: This Ordinance shall become effective upon passage and publication as required by law. Any claims of invalidity by reason of any defect in the procedure of adoption may only be made ninety days after the posting or the second publication.





CITY OF GARDNER POLICE DEPARTMENT
200 Main Street
Gardner, MA 01440
Phone (978) 632-5600
Fax (978) 630-9045



Eric P. McAvene
Chief of Police

Nicholas P. Maroni
Deputy Chief of Police

February 6, 2023

The Honorable Michael J. Nicholson, Mayor
Gardner City Hall
95 Pleasant Street
Gardner, MA 01440

Re: Route 140 Re-zoning Request

The Traffic Commission met on Thursday February 2, 2023. In the meeting, the safety on Rt 140 from Green St to the Winchendon line was discussed. The Commission discussed that this section of Rt. 140 would not be safe if added residential driveways were put in this area. Any future development should require the addition of traffic control devices and a traffic study at a minimum, to ensure safety to the motoring public.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Nicholas P. Maroni".

Nicholas P. Maroni
Deputy Chief of Police
Chairman Traffic Commission

**CITY OF GARDNER POLICE DEPARTMENT**

200 Main Street
Gardner, Massachusetts 01440
Phone: (978) 632-5600
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Eric P. McAvene
Chief of Police

Nicholas P. Maroni
Deputy Chief of Police

February 3, 2023

The Honorable Michael J. Nicholson, Mayor
Gardner City Hall
95 Pleasant Street
Gardner, MA 01440

Re: Route 140 Re-zoning Request

Dear Mayor,

I have reviewed and agree with the proposed request to rezone the northern end of Green Street (Route 140) from residential to Commercial/Industrial. My understanding is the parcel could contain several hundred residential building lots. The addition of that many private homes to the area would cause more public safety/traffic concerns due to the already high traffic congestion and general speeds on the road.

The posted speed limit in that area of the road is 50 MPH, but speeds regularly exceed 60 and 70 MPH. The road was designed as a limited access highway and not a residential road. The existing residents in that section have to cut across the two northbound lanes, through the soft divider and make a left to go southbound. It is an unsafe design.

Many of the collisions on the road end up as serious injury crashes or fatalities because it is designed for higher speed travel. For the above mentioned reasons, I support the rezoning of this area to commercial/industrial. If you have any questions, please do not hesitate to contact me.

Very truly yours,

Eric P. McAvene
Chief of Police

CITY OF GARDNER
Department of Public Works

Highway
Water
Sewer
Forestry
Parks/Playgrounds
Cemeteries



Dane E. Arnold, Director
50 Manca Drive
Gardner, MA 01440-2687
Telephone (978) 630-8195
darnold@gardner-ma.gov

Mayor Michael J. Nicholson
City Hall
95 Pleasant Street
Gardner, MA 01440

February 3, 2023

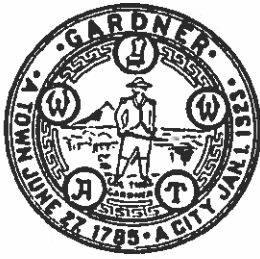
RE: Route 140 Zoning Change

Dear Mayor Nicholson:

This letter acts to show my support of the zoning change to remove Rural Residential zoning along the 140 corridor. With the high speeds, heavily traveled route, and several passing lanes, there should not be single family homes with individual driveways constructed in this area. Any future construction in this area should have a traffic study conducted and controlled intersections, such as traffic signals or additional merge lanes constructed for example.

Sincerely,

Dane E. Arnold, Director
Department of Public Works



ENGINEERING DEPARTMENT
CITY OF GARDNER
50 Manca Drive, Gardner MA 01440

Robert E. Oliva, City Engineer
Telephone (978) 630-8195
roliva@gardner-ma.gov

February 3, 2023

Mayor Michael J. Nicholson
Gardner City Hall
95 Pleasant Street
Gardner, MA 01440

Re: Proposed Zoning Amendment

Dear Mayor Nicholson,

I have reviewed the proposed zoning change for the 12 properties on Route 140. As I understand it, the change is being put forth in an effort to minimize future residential driveways being built along this stretch of Route 140. As a measure to improve vehicular safety on Route 140, I have no issue with the proposed zoning change.

Sincerely,

Robert E. Oliva
City Engineer



City of Gardner
Department of Inspectional Services
115 Pleasant Street, Room 101
Gardner, MA 01440
Tel. (978) 630-4007 Fax: (978) 632-3313

Feb. 7, 2023

RE: 140 Zoning Change

Dear Mr. Mayor,

I have long thought that limiting the Rte. 140 corridor to Residential uses was counterproductive to bringing new business to our city. I am in full support of the proposed Zoning change from Rural Residential Two to Commercial Two for the parcels along Rte. 140.

Do not hesitate to contact me should you need any further assistance.

Roland Jean
Building Commissioner/Zoning Enforcement Officer
City Hall Annex
115 Pleasant St. RM 101
Gardner, MA 01440
(978) 630 4007
rjean@gardner-ma.gov

Mission Statement

To promote the safe and compatible development of the community through fair and consistent enforcement of building codes and zoning ordinances

**ROUTE 140 NORTH CORRIDOR BUILDOUT ANALYSIS
GARDNER, WESTMINSTER, AND WINCHENDON,
MASSACHUSETTS**



View of Mt. Wachusett from Route 140

Prepared by:



Montachusett Regional Planning Commission

And

William Scanlan

November 30, 2010

**Assistance Provided under Montachusett Regional Planning Commission's
District Local Technical Assistance Program (DLTA) with
Funding Provided by the Commonwealth of Massachusetts**

CREDITS

The Montachusett Regional Planning Commission (MRPC) provided assistance for this project with funding provided by the Massachusetts Department of Housing and Community Development (DHCD) under the District Local Technical Assistance (DLTA) program. Under Chapter 205 of the Acts of 2006, the DLTA program enables staff of Regional Planning Agencies to provide technical assistance to communities for “any subject within regional planning expertise”.

Route 140 Steering Committee

Ed Goss	Gardner GIS Coordinator
Robert Hankinson	Gardner City Engineer
Rob Hubbard	Gardner Community Development and Planning Director
Neil Janssens	Gardner City Councilor
Marie Auger	Westminster Planning Board
Karen Murphy	Westminster Town Administrator
Domenica Tatasciore	Westminster Town Planner
Ellen DeCouteau	Winchendon Planning Agent
Jim Kreidler	Winchendon Town Planner
Gerald White	Winchendon Grants Administrator
John White	Winchendon Planning Board

Report Credit

William Scanlan	Principal Author
Renée Marion	MRPC GIS Analyst
John Hume	MRPC Planning and Development Director
Glenn Eaton	MRPC Executive Director

TABLE OF CONTENTS

Introduction 1
 Buildout Methodology..... 1
 Base Case Buildout Results..... 2
 Gardner..... 4
 Westminster 4
 Winchendon 6
 Study Area Summary..... 6
 Alternative Growth Scenarios 7
 Winchendon Alternative Growth Scenario 7
 Gardner Alternative Growth Scenario..... 8
 Land Use Goal..... 10
 Recommendations..... 10

LIST OF TABLES

Table 1 Development Characteristics of the Route 140 North Corridor 3
 Table 2 Route 140 North Base Case Buildout Analysis 5
 Table 3 Winchendon Commercial Development Scenario 8
 Table 4 Gardner Mixed-Use Development Scenario..... 9

LIST OF MAPS

Map 1 Westminster Current Conditions Map..... 13
 Map 2 Gardner Current Conditions Map..... 14
 Map 3 Winchendon Current Conditions Map..... 15
 Map 4 Route 140 Corridor Current Conditions Map 16
 Map 5 Winchendon Alternative Growth Scenario..... 17
 Map 6 Gardner Alternative Growth Scenario 18

ROUTE 140 NORTH CORRIDOR BUILDOUT ANALYSIS

INTRODUCTION

As development occurs in the Route 140 Corridor and surrounding areas, the roadway will witness an inevitable increase in traffic volumes. In planning for future transportation improvements, it is useful to ask such questions as: How much overall growth can the Corridor accommodate? What are the most likely places where growth will occur? What type of growth seems appropriate for the area? And, does it make sense to alter local regulations to promote a different development pattern?

One way to address these questions is through the use of a "Buildout Analysis". A buildout analysis seeks to determine the maximum amount of new growth that could occur if all available land attains its full development potential. The analysis relies upon the zoning regulations in effect and takes into account environmental factors that limit the development potential of a site. The results do not provide a timeframe for predicting when a certain amount of growth may occur, but rather it attempts to quantify the maximum amount of development that can occur if no changes are made to alter the outcomes.

The results are useful to transportation planners, who will better understand the land use changes that will take place over time. It is then possible to identify future roadway improvements that will be necessary, program improvements over time, and make budgeting decisions as traffic reaches certain milestones.

For the Route 140 Corridor, the Steering Committee identified the study area most likely to contribute directly to traffic increases. Winchendon and Gardner initially identified a ½ mile corridor on each side of the roadway, and Westminster chose a ¼ mile offset. After looking at an initial round of buildout results, the representatives from each community modified the study area by adding in specific parcels and zoning districts where future growth could have a measureable effect on traffic volumes. Maps 1-3 display the community study areas, and Map 4 contains the entire Corridor study area.

BUILDOUT METHODOLOGY

A buildout analysis consists of two discrete phases: mapping, and quantifying development. The process would not be possible without good geographic information and skillful GIS staff. Each community provided up-to-date parcel and zoning coverages, and the state mapping agency, MassGIS, provided accurate environmental and land use data.

Environmental data is a crucial element of a buildout analysis. Certain lands, because of environmental sensitivity, are considered unsuitable for development; these include wetlands, ponds, flood plains, and steep slopes. In addition, Massachusetts has adopted a regulatory program to protect perennial rivers and streams; under the River Protection Act, no development can occur within the "Riverfront Area", a swath two hundred feet wide from each bank. The buildout analysis interprets these lands as unavailable for development.

The buildout maps display the zoning scheme currently in effect in the three communities. For simplicity, these fall into a residential, commercial, or industrial district. Staff also reviewed the communities' zoning regulations to determine if other land use controls might affect the development potential of the corridor. In Gardner, the Water Supply Protection Overlay District (WSPOD) falls within the northern portion of the City and, by requiring large lots,

limits development to a greater degree than that permitted in the underlying Rural Residential district.



Gardner Scenic View

In addition, GIS staff aggregated land use/land cover data from MassGIS interpreted from 2005 aerial photography. The buildout analysis looks only at vacant land and removes land that is already developed, although it is possible over time for redevelopment to occur. The excluded land uses are active recreation, housing, transportation, commercial/industrial development, power lines, waste disposal, cemeteries, and public/institutional uses. Finally, land

that is permanently protected as open space is also excluded from future development; the parcel coverages from each community provided the source data for open space properties.

The buildout maps display all of this data and allow local officials to identify the location and current zoning of the developable land. The mapping software categorizes all land in the study area as developed, undevelopable, or developable, and calculates the area in each category by zoning district. Land that is developed or undevelopable (open space or environmentally constrained) is excluded from further analysis.

A buildout spreadsheet helps to quantify the amount of new development that can occur. MRPC conducted community-wide buildout analyses in all of its communities about 10 years ago; thus, the spreadsheets were already available for this study. Knowing the amount of developable land in each zoning district, and assuming zoning districts and regulations remain unchanged, the spreadsheet calculates the amount of possible new growth in each community.

Planners then calculated the buildout results under existing conditions, i.e. the “base case analysis”. A significant benefit of the methodology is that it is relatively easy to achieve different results by modifying the assumptions. One can run alternative growth scenarios to quantify the changes that would occur by altering zoning regulations. Planners can play “What if” games. For example: What would happen if the Town re-zoned some residential property to a commercial district? Or What if the City promoted a high intensity mixed use concept at a particular node? These scenarios will be discussed shortly.

BASE CASE BUILDOUT RESULTS

Table 1 displays information on existing conditions in the study area including acres of land in each community by zoning district for the three categories of Undevelopable, Developed, and Developable Land. Table 2 contains the buildout results for the base case scenario.

Table 1
Development Characteristics of the Route 140 North Corridor

	Undevelopable	Developed	Developable	Total
	Acres	Acres	Acres	Acres
Gardner				
C1 (Commercial)	4.73	16.65	21.30	42.68
I1 (Industrial)	30.24	24.08	88.93	143.25
I2 (Industrial)	83.96	36.69	48.44	169.09
RR (Rural Residential)	3,398.10	215.18	1,060.19	4,673.46
SFR (Single Family Residential)	29.28	48.03	80.03	157.34
Subtotal	3,546.31	340.62	1,298.89	5,185.82
Percent	68.4%	6.6%	25.0%	100%
Westminster				
Commercial - I	53.92	37.67	172.37	263.97
Industrial-I	13.60	73.36	150.53	237.49
Residential - I	28.07	76.83	129.70	234.60
Subtotal	95.59	187.87	452.60	736.06
Percent	13.0%	25.5%	61.5%	100%
Winchendon				
C1 (Commercial)	355.38	53.56	396.67	805.61
I (Industrial)	138.66	11.26	479.30	629.22
R80-RR (Residential)	1,303.64	165.50	827.52	2,296.66
Subtotal	1,797.68	230.32	1,703.49	3,731.49
Percent	48.2%	6.2%	45.7%	100.0%
Total	5,439.58	758.81	3,454.98	9,653.37
Percent	56.3%	7.9%	35.8%	100%

Gardner

As shown in Table 1, only 25% of the study area in Gardner is available for development; 68.4% is undevelopable and 6.6% is already developed. Much of the undevelopable land is in public ownership by the City for water supply protection. While the amount of developable land is nearly four times greater than that occupied by existing development, the large amount of undevelopable land, and the presence of the low density watershed regulations, will help to retain an open character for the Gardner portion of the Route 140 Corridor.

Of the nearly 1,300 acres of developable land, 1,060 acres are in the Rural Residential district where new homes require large lots (60,000 sq. ft.). It is unlikely that the City will extend public water and sewer systems to these outlying areas. Another 80 acres are in a Single Family Residential District with a density of 3.5 units per ac. This density does require service by public water and sewer systems. Only 12% of the available land in the Gardner portion of the study area (159 ac.) is in a commercial or industrial district.

For the base case scenario, Table 2 indicates that Gardner could witness 792 new dwelling units and over 3.0 million square feet of non-residential development. Over 300 acres of Rural Residential land is within the WSPOD, which specifies a three-acre minimum lot size for a single family home. The low density is a valid means of protecting the water supply, and of course, has the effect of reducing the residential buildout.

The commercial and industrial districts allow a reasonable intensity of development. The analysis uses a factor termed "Effective FAR¹" to calculate the amount of non-residential development. The Effective FAR takes into account land needed for setbacks, open space percentages, and parking, and based on allowable stories, it is a measure that expresses the amount of building floor area a lot can accommodate. For example, in Gardner's Commercial 1 district, its Effective FAR of 0.93 means that a 10,000-sq. ft. lot could accommodate 9,300 sq. ft. of building floor area in compliance with zoning and parking codes. Exceeding the FAR would require structured parking, which is not economically feasible in today's market.

Table 2 also shows the possible impacts at full buildout of water demand, new residents, and new students. Based on a water consumption rate of 75 gallons per capita per day and 75 gallons per 1,000 sq. ft. of non-residential floor area, the new development would require 368,494 gallons of water per day. This is true whether or not development is tied into the municipal water system. However, it is unlikely that the commercial and industrial floor space at buildout would be possible without public water service. The number of new residents and new students are based on the number of people per household (2.35) and number of public school students per household (0.417) from the 2000 Census. The 792 new homes in the Corridor could generate 1,862 new residents and 319 new students.

Westminster

Westminster comprises the smallest portion of the study area, 736 acres, since it only includes the area between the Route 2/140 intersection and the Gardner line. In contrast to Gardner, 61.5% of the study area is available for development and 25.5% is already developed. Only 13% of the land area is undevelopable due to environmental constraints. There is a fairly even distribution of buildable land across the three zoning categories: 172 acres of Commercial 1, 151 acres of Industrial 1, and 130 acres of Residential 1.

¹ FAR stands for Floor Area Ratio, i.e. the relationship of building floor area to lot area.

Table 2
Route 140 North Base Case Buildout Analysis

	Developable Area (Ac.)	Effective FAR	Square Feet of Floor Space	Build Factor	Min. Lot Size (Sq. ft.)	Dwelling Units	Water Use	New Residents	New Students
Winchendon									
Highway Commercial - C1	396.67	0.504	8,708,588		75,000		653,144		
Industrial - I	479.30	0.576	12,025,905		43,560		901,943		
Rural Residential - R80	827.52			0.846	87,120	350	72,170	962	202
Subtotal	1,703.49		20,734,494			350	1,627,257		
Westminster									
Highway Commercial - C1	172.37	0.34	2,552,869		40,000		191,465		
Industrial - I1	150.53	1.03	1,688,450		40,000		126,634		
Residential - R1	129.70			0.825	50,000	98	20,043	267	52
Subtotal	452.60		4,241,318			98	338,142		
Gardner									
Commercial 1 - COM 1	21.30	0.33	306,183		10,000		22,964		
Industrial I - IND 1	88.93	0.42	1,626,992		10,000		122,024		
Industrial II - IND 2	48.44	0.53	1,118,325		30,000		83,874		
Single Family Residential 1 - SFR1	80.03			0.872	12,500	243	42,862	571	90
Rural Residential 2 - RR2							96,769		
Land Outside the WSPOD	752.99			0.841	60,000	460		1,080	192
Land Inside the WSPOD	307.20			0.872	130,680	89		210	37
Subtotal	1,298.90		3,051,500			792	368,494	1,862	319
Grand Total	3,454.99		28,027,312			1,240	2,333,893	3,091	572

For the base case scenario, 130 acres of developable land in Westminster's R-1 district could yield 98 new dwelling units using the minimum lot size of 50,000 sq. ft. This would generate 267 new residents and 52 new students based on multipliers of 2.73 people per household and 0.53 public school students per household from the 2000 Census. In Commercial 1, 172 acres of developable land could yield about 2.55 million square feet of floor



Westminster – Rt. 2 Area

area. In Industrial 1, 151 acres of developable land could result in 1.69 million sq. ft. of floor area. Altogether, this new growth would have a water demand of 338,142 gallons per day.

Winchendon

Winchendon has the largest amount of developable land in the study area. This is partially due to incorporating large commercial and industrial districts that lie beyond the ½ mile corridor. Town representatives believed future development in these areas would have a significant impact on traffic growth and wished to assess the magnitude of growth current zoning would allow. 45.7% of the study area in Winchendon is available for development, or about 1,700 acres. About half of this land is zoned for residential use. With a two-acre minimum lot size in the Rural Residential district, the 827.5 developable acres would allow 350 dwelling units. This growth would increase the Town's population by 962 residents and add 202 students to the public school system (based on multipliers of 2.75 people and 0.576 students per household).

The Winchendon portion of the study area contains a large amount of developable land zoned for non-residential uses, about 400 acres for commercial development and 479 acres for industrial development. Combined, there are 876 acres of developable land that has a potential buildout of 20.7 million sq. ft. of floor space. Clearly, such a large amount of development would have major consequences on traffic along Route 140. Water demand from all future development would exceed 1.6 million gallons per day.

Study Area Summary

On the whole, the Buildout Analysis reveals that there is a significant amount of room available for new growth in the Route 140 Corridor. Of the 9,653 acres in the entire study area, over half (56.3%) is undevelopable; however, 35.8% of the total acreage is developable, which is 4.6 times as much as the land already developed (7.9% of the study area). While Gardner has the most land, 68.4% of it is undevelopable. Winchendon has the most developable land in the study area, 1,703 acres, which comprises 50% of all developable land.

Furthermore, 65% of the developable commercial and industrial land in the study area is in Winchendon. Combined all three communities offer 1,958 ac. of developable commercial and industrial land, which can accommodate 28.0 million sq. ft. of non-residential floor space. Winchendon's potential 20.7 million sq. ft. of floor space comprises 74% of the commercial and industrial development at buildout in the study area. Gardner's 3.0 million sq. ft. and Westminster's 4.2 million sq. ft. comprise 15.1% and 10.9% respectively of the Corridor's potential commercial and industrial build-out.

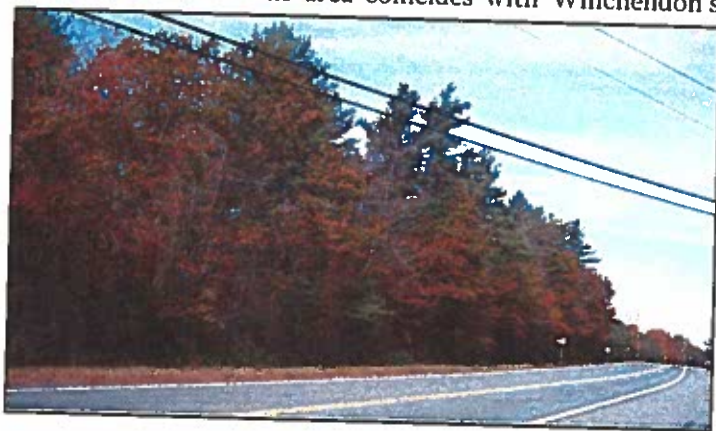
Residentially, about 2,100 acres is developable, which comprises 61% of all developable land. Gardner contains 54%, and Winchendon 40%, of the total developable residential land. This residential property in the study area could accommodate 1,240 new dwelling units. Gardner has 1,140 acres of developable residential land and would yield the largest number of new units, 792, or 64% of the total units.

ALTERNATIVE GROWTH SCENARIOS

As noted above, it is possible to modify the data and assumptions in the Buildout Analysis to test different growth policies. For example, local officials might wish to see the results from re-zoning residential land to a commercial district, increasing minimum lot size requirements in a residential district, or establishing a high density mixed-use zoning district at a transportation node to encourage a more compact, pedestrian-scale, village-style development. The Steering Committee considered this opportunity, and members from Gardner and Winchendon proposed an alternative development scenario for their communities. In Westminster, local officials believe the existing zoning pattern is a good one. Developable land along Route 140 is already zoned for commercial and industrial purposes, and near-by residential developments limit opportunities for re-zoning.

Winchendon Alternative Growth Scenario

Winchendon officials want to explore the possibility of future opportunities for economic development along Route 140 in the southern part of Town by re-zoning land from Rural Residential to Commercial 1. This area coincides with Winchendon's "Gateway Overlay District", where



Winchendon – Gateway Area

special development standards apply to minimize the traffic impacts of new development. It includes the area along the westerly side of Route 140 from the southern end of the C-1 district to the Gardner line with a depth of 500'; on the easterly side, it includes the area bounded by Route 140, the Gardner line, and the North Central Pathway rail trail. Map 5 displays the revised zoning boundaries used in the alternative buildout analysis.

The new district contains 347.4 acres, of which 251.5 ac. are developable according to the GIS analysis. Keeping the zoning standards of the C-1 district constant, the land would accommodate 5.4 million sq. ft. of commercial floor area. Correspondingly, the residentially zoned acreage in the Winchendon portion of the study area falls to 581.1 acres, resulting in a decrease of 104 dwelling units at buildout. Table 3 compares the Winchendon study area buildout under the base and alternative scenarios.

Table 3
Winchendon Commercial Development Scenario

	Base Scenario	Gateway Scenario	Change
Developable Acres in RR	827.5	581.1	-246.4
Developable Acres in C-1	396.7	643.0	246.4
New Dwelling Units	350	246	-104
Commercial Floor Area	8,708,588	14,117,454	5,408,866
Industrial Floor Area	12,025,905	12,025,905	0
New Residents	962	676	-286
New Students	202	142	-60
Water Demand	1,627,257	2,011,435	384,178

Winchendon could view the possibility of re-zoning this portion of the study area as an opportunity to achieve greater economic development. Winchendon has a great deal of land already zoned for commercial and industrial purposes in the area, and officials should consider the effect on those properties of encouraging commercial development here. A less intensive alternative Winchendon could consider is to adopt a planned development bylaw that would allow large projects by special permit within the Gateway Overlay district. For example, a planned business development bylaw could allow a large shopping plaza or big-box retail outlet subject to reasonable regulations to protect residential abutters.

In either case, the presence of the highway affords excellent access to developable property. The re-zoning scenario would increase the amount of developable land in C-1 by about 250 acres. Correspondingly, the number of potential dwelling units would decrease by more than 100, lessening the demand for municipal services and school education costs. The idea of allowing some commercial or industrial development here has merit and local officials could explore it further. This buildout analysis at least provides an initial basis for understanding the long-range land use consequences of the decision.

Gardner Alternative Growth Scenario



Gardner - Matthews St. Area

In 2006, Martin Wolons proposed a high-density, mixed use development concept along the westerly side of Route 140 in the vicinity of Pearl and Matthews Streets. The developer sought approval under the state's "Smart Growth" statute, MGL Chapter 40R, which promotes multi-family housing, including affordable units, to create town center-style developments. In return for encouraging housing production, a community receives incentive

payments from the state. Chapter 40R requires approval of a discrete zoning district by the local legislative body to demonstrate community support and establish local standards for design. The project consisted of 650 units of housing and 200,000 square feet of commercial space on 114 acres. Because of poor economic conditions, the developer abandoned the project. Since the site remains vacant, has good highway access, and is near public water and sewer systems, Gardner Steering Committee members asked to run an alternative growth scenario at this location to help understand possible impacts of a large development here.

With several parcels under common ownership, the analysis incorporates the same area as the 40R project. Map 6 displays the revised zoning boundaries used in this scenario. Rather than a predominantly residential project, this hypothetical development assumes a mix of light industrial and office uses, termed the LI-O scenario². The GIS analysis determined that 82.3 acres of the site are developable. The LI-O scenario allocates 50% of the developable land for light industry and 50% for office and research and development. Industrial uses tend to favor extensive one-story buildings and have a relatively low parking demand; office and research uses favor multi-story buildings and have a higher parking demand due to the employee-intensive nature of such businesses. Combining these uses, the LI-O scenario assumes an overall Effective FAR of 0.5 for the district. Table 4 displays the results of this scenario.

Table 4
Gardner Mixed-Use Development Scenario

	Base Scenario	LI-O Scenario	Change
Developable Acres in RR	1,061.3	979.06	-82.3
Developable Acres in LI-O	0	82.3	82.3
New Dwelling Units	792	742	-50
New LI-O Floor Area	0	1,792,058	1,792,058
New Residents	1,862	1,744	-118
New Students	319	298	-21
Water Demand	368,444	359,639	-8,805

The proposed Light Industry-Office scenario could yield an additional 1.8 million sq. ft. of non-residential floor space at buildout. This location is currently zoned RR and is outside the WSPOD; removing the land from RR could reduce the number of dwelling units by 50 units. This scenario provides an interesting counter-point to the chapter 40R project, which contained 650 dwelling units and 200,000 sq. ft. of retail space. Assuming the previous developer had proposed a realistic concept based on infrastructure capacity and the site's physical conditions, it is plausible that the location could also accommodate an intensive industrial park or office/research complex. Gardner officials may wish to examine surrounding land uses to assess whether such a use would be compatible with the neighborhood and consider alternative development schemes, e.g. including a residential or commercial component.

² To create a residential component, Gardner's Smart Growth Planned Unit Development (SGPUD) allows up to 50% of a tract to consist of residential uses.

LAND USE GOAL

The following land use goal sets an overall growth policy for communities to plan and develop the Route 140 Corridor to achieve the highest and best use of the available land and public infrastructure for the benefit of the three communities:

Communities connected by Route 140 should proactively plan together for future growth. Through innovative zoning measures communities will foster a sustainable pattern of development, one that preserves roadway capacity and public safety, promotes economic development, conserves resources, and achieves high standards of design.

RECOMMENDATIONS

The preceding analysis documents the considerable amount of developable land in the Corridor and the large potential for economic growth. Most communities welcome new economic development because it creates jobs and adds to the local tax base without overwhelming municipal services. However, such growth should not occur at the expense of community character, environmental excellence, or quality of life. Despite the vast potential for new growth in the Corridor, the challenge is not to just recruit new business but to achieve high quality development. The following recommendations offer techniques to balance economic opportunity and preserve community character so that residents may enjoy the benefits of new growth.

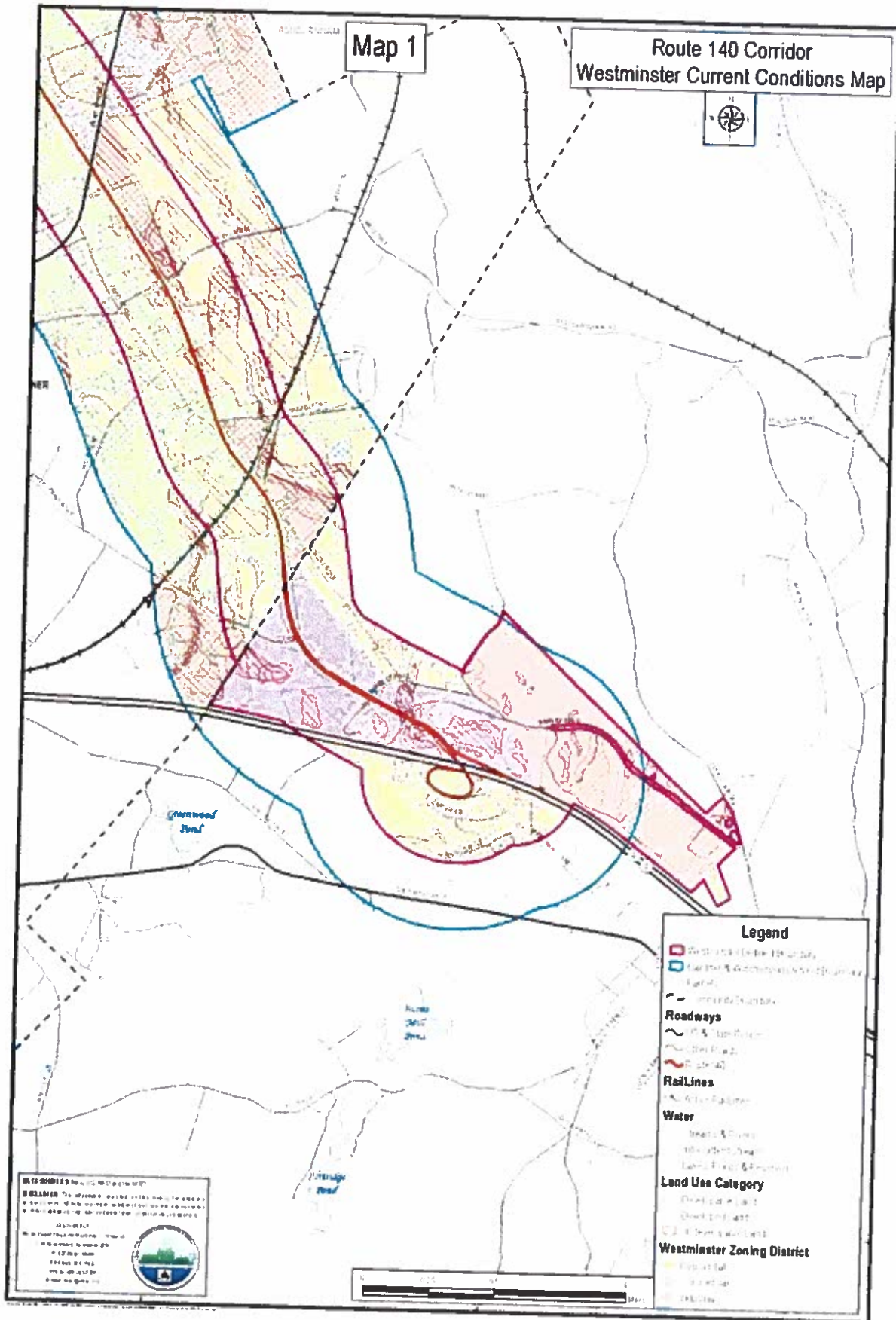
1. Implement access management controls by limiting the number of curb cuts directly onto Route 140, requiring common driveways where feasible, and connecting adjoining properties through internal access roads to lower the number of turning movements onto the highway. Winchendon's Gateway Overlay District is a good example of a regulation that seeks to control access to Route 140 and avoid commercial sprawl.
2. Modify land use controls to allow a higher intensity of development at key intersections where roadway capacity exists and water and sewer services are available.
3. Preserve scenic views through strategic purchases of open space, acquisition of view easements, or requirements for photo-simulation during site plan review to consider alternative building configurations.
4. Review sign regulations to insure that signs permitted in commercial and industrial districts minimize visual clutter. Restrict billboards and other non-accessory signs.
5. Authorize sharing of parking or reducing parking requirements when complementary uses have different peak hours of parking demand.
6. Require traffic impact studies for large-scale developments.
7. Review development design standards to achieve high quality development, for example:
 - ❖ Add landscaping requirements in parking lots, along road frontage, and around buildings.
 - ❖ Establish protective buffers adjacent to residential uses.
 - ❖ Set architectural standards to promote visual interest, such as pitched roofs, exterior building materials, awnings, etc.
 - ❖ Require screening of dumpsters, utility structures, and outdoor storage areas.
 - ❖ Provide safe, pleasant, and accessible paths for pedestrians within new developments and from adjacent neighborhoods.

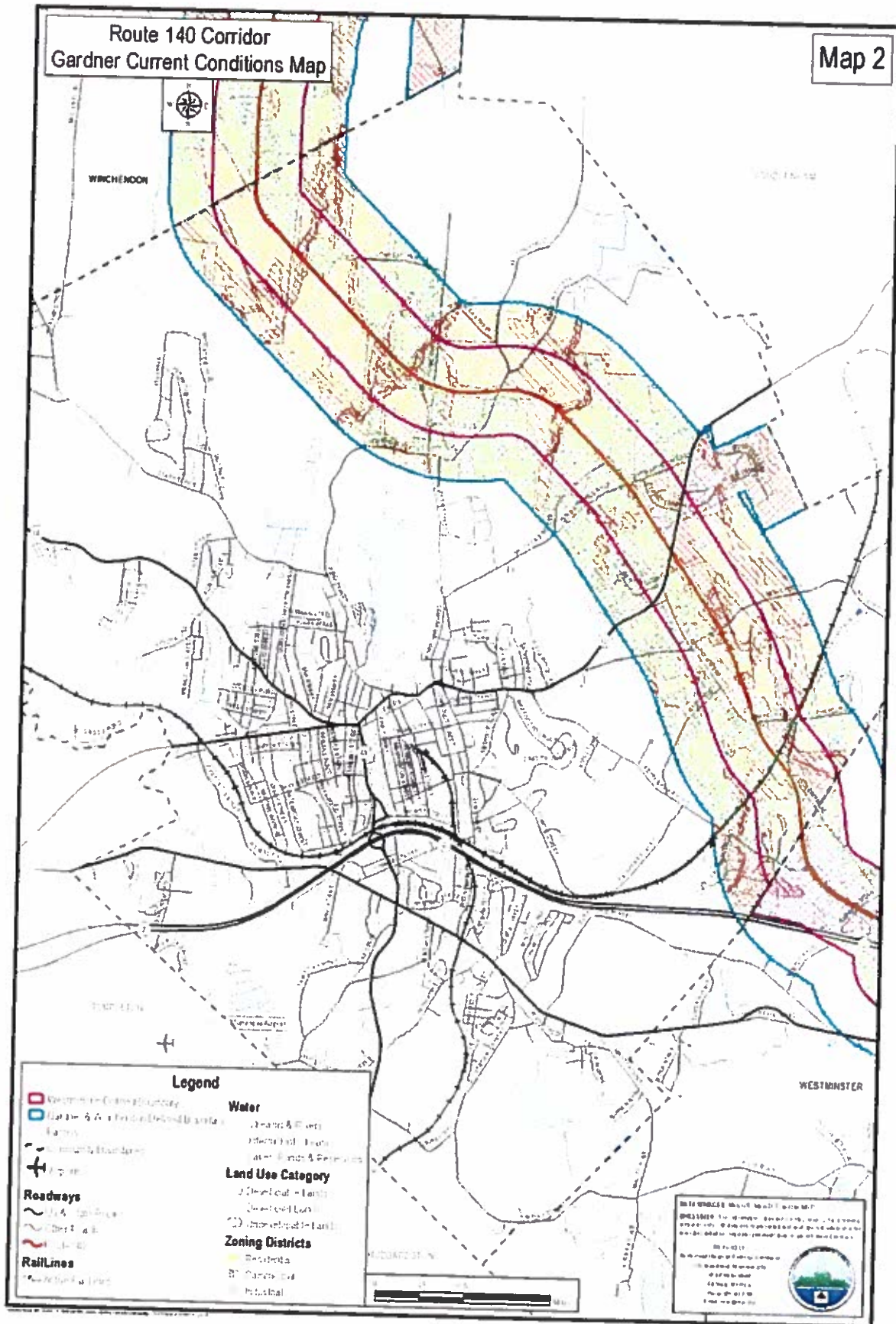
- ❖ Use Low Impact Development (LID) stormwater management techniques to contain and purify runoff on-site and improve development aesthetics.
- ❖ Set lighting requirements and use fixtures with cutoffs to curtail light impacts.
- ❖ Place wiring underground.

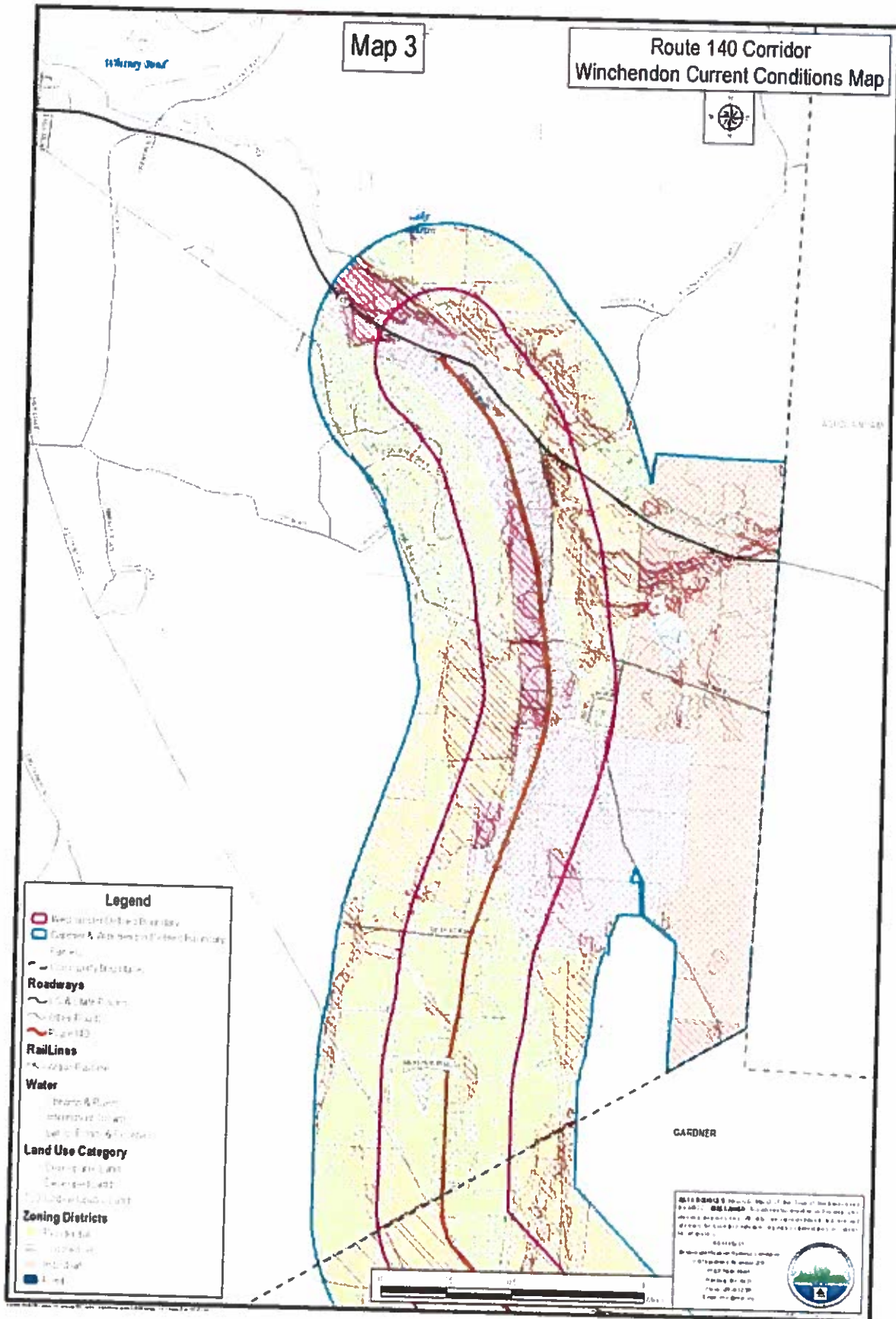
MRPC could take the lead by creating a process to develop model design standards applicable to similar highway corridors throughout its Region.

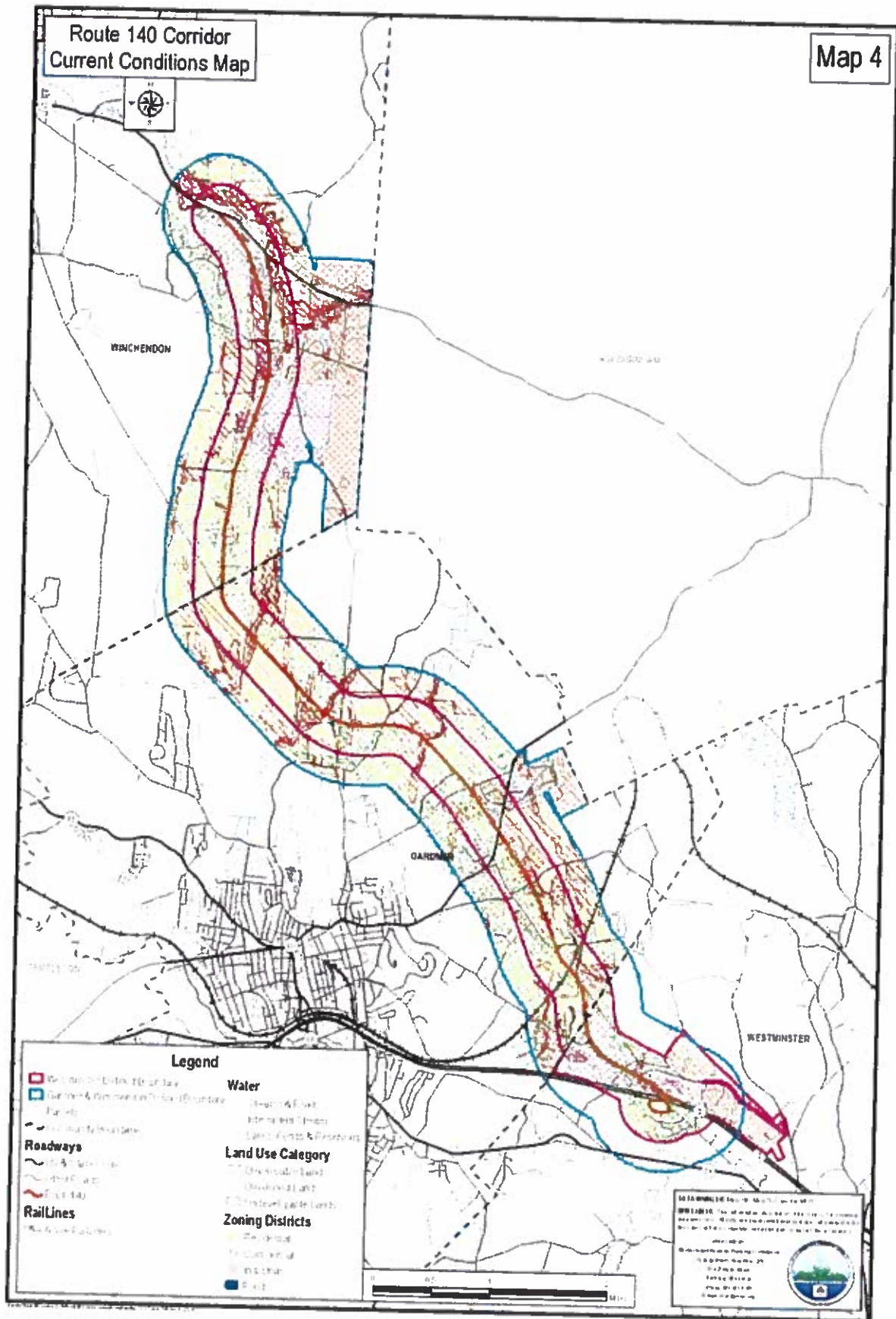
8. Continue to analyze re-zoning opportunities in Winchendon and Gardner as outlined in the alternative growth scenarios discussed above.
9. Provide connecting links to the North Central Pathway rail trail as a way to promote commuter access by bicycle. Continue to extend the trail along its entire proposed 16-mile length for recreational use and as a tourism attraction.
10. Work with MassDOT to pursue nomination of Route 140 as a Scenic Byway. Once approved, communities are eligible for additional federal grants for planning, marketing, roadway improvements, and public amenities. After preparing a Management Plan, implementation funding may be used for a variety of projects such as: constructing links to nearby recreation areas, installing historic markers, building off-road parking areas, developing informational kiosks, preserving scenic vistas, etc. The Scenic Byway Program is an avenue for obtaining funds for enhancement projects based on a management plan that has been informed through significant public participation. It has no regulatory effect on private property.
11. Pool resources to develop a regional marketing strategy to tout the assets present in the Corridor for economic development. Consider a unique moniker for Route 140 that evokes an image of beauty, local history, and community resourcefulness.
12. Work cooperatively to protect public water supplies. A portion of Gardner's public water supply watershed for Crystal Lake extends across the city line into Winchendon. An important goal of Gardner's "Open Space and Recreation Plan" is to seek regional cooperation and develop inter-municipal agreements to assure protection of its water supply. As growth takes place in south Winchendon, the two communities should execute an inter-municipal agreement that encourages sustainable resource management and best practices for new development to minimize any potential water quality degradation. As a regional issue, MRPC could assist in drafting an acceptable agreement that would advance the land use and environmental goals of each community.
13. Develop alternatives to frequent driveway openings onto Route 140. The Buildout Maps reveal that residential zoning districts occupy large stretches of Route 140. The danger exists that over time, individual lots with single family homes will each have a driveway with access onto Route 140. Homeowners will enter and exit these lots on a frequent basis interfering with the smooth flow of traffic and creating unsafe travel conditions, especially in severe weather. Communities should encourage alternatives to individual driveways, such as common driveways, subdivision roads, and frontage roads parallel to Route 140, to provide controlled points of access onto the highway.
14. Consider larger setbacks from the highway for residential uses. As traffic growth increases along Route 140, traffic noise and congestion will make abutting property less desirable for single family homes. This impact can be mitigated by deeper front setbacks and landscape buffers to help maintain lot privacy.
15. Explore regional zoning regulations to enhance inter-municipal cooperation in managing development in order to protect the character of the corridor. Since Route 140 is a regional asset and engine for economic growth, the communities may wish to explore adoption of a

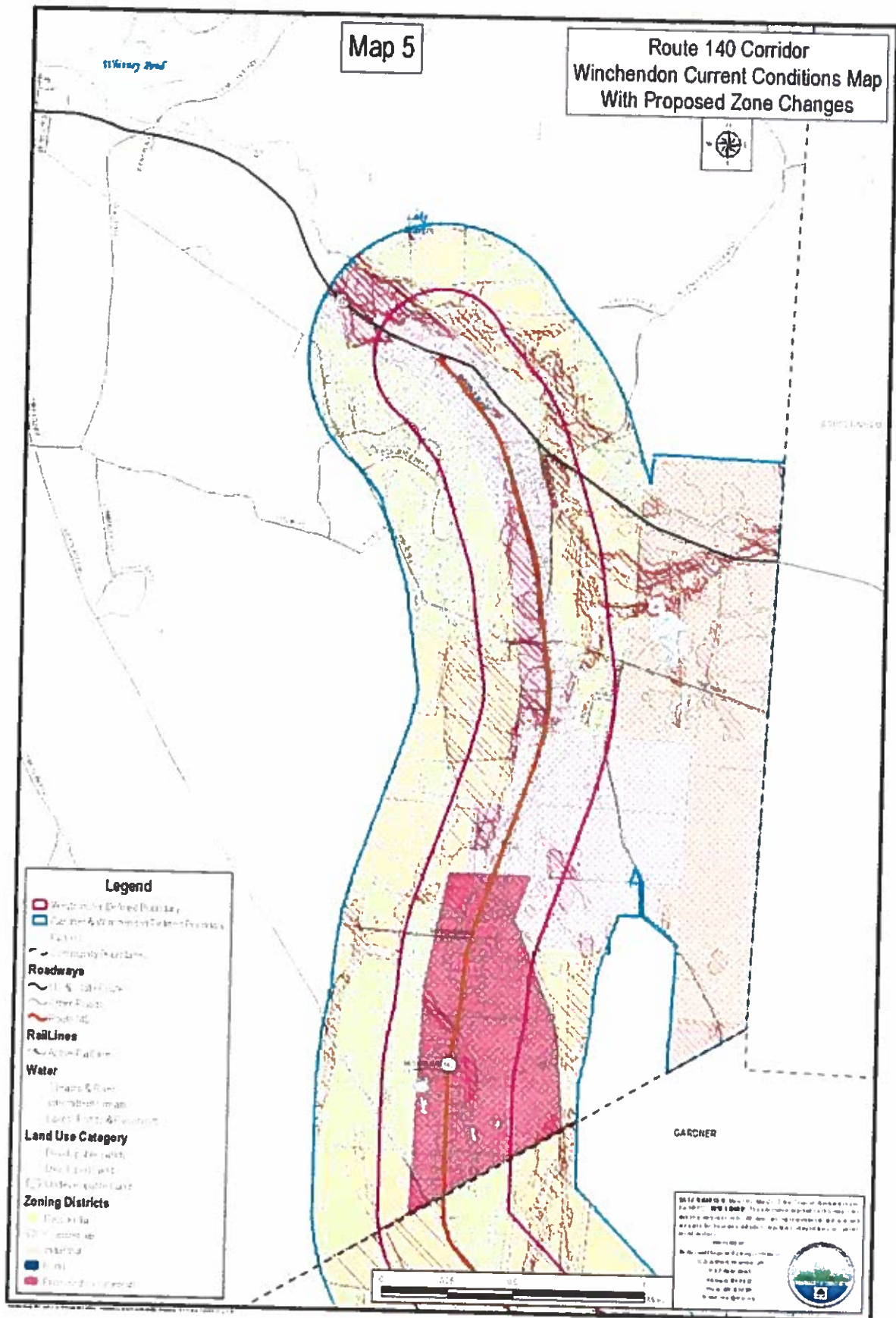
regional Highway Corridor Overlay District. MRPC could also assist in this endeavor. Such an approach would allow for inter-community consultation on major development projects, establish common design and development standards, and encourage access management techniques to preserve roadway capacity and protect motorist safety. This concept has worked well in the Blackstone Valley where three communities adopted a model Route 146 Corridor Overlay District zoning bylaw. Each community decides which uses are most appropriate for its section of the Route 146 Corridor, and the Overlay District establishes consistent design standards to manage development along the roadway to protect its scenic, historical, and natural resource values.

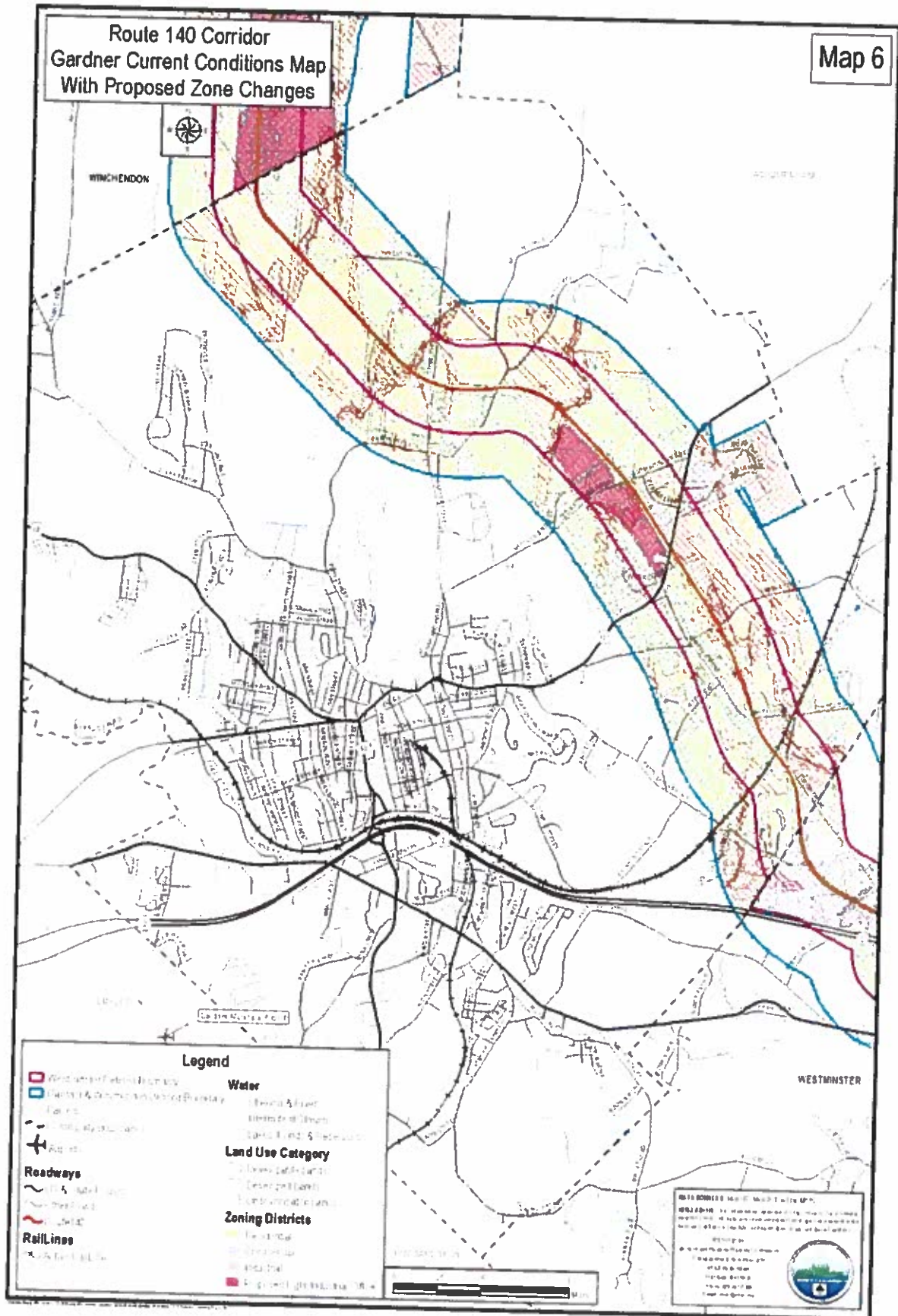












**Properties Included In
Zoning Change
Proposal**

**(Property Record Cards
And Deeds)**

Parcel ID:

M47-24-01

Address:

No Formal Address

Owner:

City of Gardner

Other:

Vacant Wooded Lot

Property Location GREEN ST
 Vision ID 2011

Map ID MA7124/1/1

Bldg Name
 Sec # 1 of 1

Card # 1 of 1

State Use 9300

Print Date 1/5/2023 2:14:46 PM

CITY OF GARDNER
 95 PLEASANT ST STE 125
 GARDNER MA 01440

Account #
 GIS ID M_158843_929980

Assoc Pktd#

TOPO UTILITIES STRT/ROAD LOCATION

4 Rolling
 1 Paved
 2 Suburban

EXM LAND
 9300

Assessed
 334,100

316
 GARDNER, MA

VISION

RECORD OF OWNERSHIP
 BK-VOL/PAGE SALE DATE QU V SALE PRICE VC

1 0 01-01-1900 Q V 0 00

Year Code Assessed Year Code Assessed Year Code Assessed

2023 9300 334,100 2022 9300 315,700 2021 9300 308,100

Total 334,100 315,700 308,100

EXEMPTIONS

Year Code Description Amount Code Description Number Amount Comm Int

Total 0.000

OTHER ASSESSMENTS

Nbhd 0001 Nbhd Name B Tracing Batch

ASSESSING NEIGHBORHOOD

NOTES

APPRaised VALUE SUMMARY

Appraised Bldg Value (Card)	0
Appraised X (B) Value (Bldg)	0
Appraised Ob (B) Value (Bldg)	0
Appraised Land Value (Bldg)	334,100
Special Land Value	0
Total Appraised Parcel Value	334,100

Total Appraised Parcel Value	334,100
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Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments

BUILDING PERMIT RECORD				VISIT/CHANGE HISTORY			
Date	Id	Type	Is	Cd	Purpose/Result		
05-25-2022	CK			22	Vacant Parcel		
10-28-2008	JAG			99			
09-15-1995	RM			00	Measur+Listed		
06-15-1981	79			00	Measur+Listed		

LAND LINE VALUATION SECTION														
Use Code	Description	Zone	Land Type	Land Units	Unit Price	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd Adj.	Notes	Special Use	Adj Unit Pric	Land Value
9300	City of Gardner V	R2		43,560	1.74	1.00000	5	1.00	1,000	1,000	AD		1.74	75,900
9300	City of Gardner V	R1		122,800	4,000.00	0.72000	0	1.00	1,000				2,102.4	258,200
			Total Card Land Units	123 80	AC	Parcel Total Land Area: 123 80						Total Land Value	334,100	

02 CONSTRUCTION DETAIL
 00 Vacant Land

CONSTRUCTION DETAIL (CONTINUED)
 Element Cd Description

MIXED USE
 Code Description Percentage
 9300 City of Gardner V 100
 0 0
 0 0

COST/MARKET VALUATION
 RCN 0

Style: 99
 Model 00
 Grade: Vacant Land
 Stories:
 Occupancy
 Exterior Wall 1
 Exterior Wall 2
 Roof Structure:
 Roof Cover
 Interior Wall 1
 Interior Wall 2
 Interior Fir 1
 Interior Fir 2
 Heat Fuel
 Heat Type:
 AC Type:
 Total Bedrooms
 Total Bathrooms
 Total Half Baths
 Total Xtra Baths
 Total Xtra Fixtrs
 Total Rooms:
 Bath Style:
 Kitchen Style:

Year Built
 Effective Year Built
 Depreciation Code
 Remodel Rating
 Year Remodeled
 Depreciation %
 Functional Obsol
 Economic Obsol
 Trend Factor
 Condition
 Condition %
 Percent Good
 RCNLD
 Dep % Ovr
 Dep Ovr Comment
 Misc Imp Ovr
 Misc Imp Ovr Comment
 Cost to Cure Ovr
 Cost to Cure Ovr Comment

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	LB	Units	Unit Price	Yr Bilt	Cond Cd	% Gd	Grade	Grade Adj	Appr. Value
------	-------------	----	-------	------------	---------	---------	------	-------	-----------	-------------

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Eir Area	Unit Cost	Undeprec Value
------	-------------	-------------	------------	----------	-----------	----------------

Tot Gross Lvr / Lease Area

0 0 0 0 0 0

No Sketch



Parcel ID:

M42-08-08

Address:

No Formal Address

Owner:

Andre and Suzanne Guertin

Other:

Vacant Lot

CURRENT OWNER GUERTIN ANDRE E & SUZANNE G
TOPO
UTILITIES
STRT / ROAD
LOCATION

582 PEARL ST
 GARDNER MA 01440

All Pct ID
 Sub-Div
 Photo
 Ward
 Prec.

GIS ID M_158949_929595
 Assoc Pct#

Description Code Appraised Assessed
 61A LAND 7170 98,800 3,000
 61A LAND 7200 23,400 400

316
 GARDNER, MA

VISION

RECORD OF OWNERSHIP

Year	Code	Description	Amount	Code	Description	Number	Amount	Code	Description	Year	Code	Assessed	Year	Code	Assessed	
GUERTIN ANDRE E & SUZANNE G	36139	0377	04-20-2005	U	V	1	1A	2023	7170	3,000	2022	7170	2,900	2021	7170	3,000
									7200	400		7200	400		7200	300
			Total								Total					Total
			3,400								3,300					3,300

EXEMPTIONS

Year	Code	Description	Amount	Code	Description	Number	Amount	Code	Description	Year	Code	Assessed	Year	Code	Assessed	
Total																
			0.00													

ASSESSING NEIGHBORHOOD

Nbhd 0001 Nbhd Name B Tracing Batch

NOTES

Appraised Bldg. Value (Card) 0
 Appraised XI (B) Value (Bldg) 0
 Appraised Ob (B) Value (Bldg) 0
 Appraised Land Value (Bldg) 122,200
 Special Land Value 3,400
 Total Appraised Parcel Value 122,200

APPRAISED VALUE SUMMARY

This signature acknowledges a visit by a Data Collector or Assessor

Total Appraised Parcel Value 122,200

BUILDING PERMIT RECORD

Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments
Total Appraised Parcel Value								
Date 10-20-2008 PR								
Id Type Is Cd Cd								
Purpose/Result 99								

LAND LINE VALUATION SECTION

B	Use Code	Description	Zone	Land Type	Land Units	Unit Price	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes	Special Use	Adj Unit Pric	Land Value
1	7170	Productive Wood	R2	R2	24,700	4,000.00	1,00000	0	1.00	1,000	1,000		61A	120	4,000
1	7200	Non-productive	R2	R2	6,800	4,000.00	1,00000	0	1.00	1,000	1,000		61A	57	3,440
1	7221	Frontage	R2	R2	0,000	0.00	1,00000	0	1.00	1,000	1,000		61A	57	0
Total Card Land Units 31.50 AC															
Parcel Total Land Area: 31.50															
Total Land Value 122,200															

VISIT / CHANGE HISTORY

Total Appraised Parcel Value 122,200

CONSTRUCTION DETAIL / **CONSTRUCTION DETAIL (CONTINUED)**

Element Cd Description Element Cd Description
 Style: 99 Vacant Land
 Model: 00 Vacant
 Grade:
 Stories:
 Occupancy
 Exterior Wall 1
 Exterior Wall 2
 Roof Structure:
 Roof Cover
 Interior Wall 1
 Interior Wall 2
 Interior Fir 1
 Interior Fir 2
 Heat Fuel
 Heat Type:
 AC Type:
 Total Bedrooms
 Total Bathrms:
 Total Half Baths
 Total Xtra Fixrs
 Total Rooms:
 Bath Style:
 Kitchen Style:

MIXED USE	
Code	Description
7170	Productive Woodland
	Percentage
	100
	0
	0

COST/MARKET VALUATION

RCN
 Year Built
 Effective Year Built
 Depreciation Code
 Remodel Rating
 Year Remodeled
 Depreciation %
 Functional Obsol
 Economic Obsol
 Trend Factor
 Condition
 Condition %
 Percent Good
 RCNLD
 Dep % Ovr
 Dep Ovr Comment
 Misc Imp Ovr
 Misc Imp Ovr Comment
 Cost to Cure Ovr
 Cost to Cure Ovr Comment

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	LB	Units	Unit Price	Yr. Bill	Cond. Cd	% Gd	Grade	Grade Adj.	Appt. Value	
BUILDING SUB-AREA SUMMARY SECTION											
	Description		Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value				
Tot Gross Liv/ Lease Area			0	0	0	0	0				

No Sketch

Worcester District Registry of Deeds - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 2/7/2023 2:50:08 PM

Doc#	Document Type	Town	Book/Page	File Date	Consideration
60142	DEED		36139/377	04/20/2005	1.00
Property-Street Address and/or Description					
GREEN ST, WINCHENDON RD					
Grantors					
PERREAULT REBECCA M, PERREAULT REBECCA					
Grantees					
GUERTIN ANDRE E, GUERTIN SUZANNE G					
References-Book/Pg Description Recorded Year					
Registered Land Certificate(s)-Cert# Book/Pg					



2005 00060142

Bk: 36139 Pg: 377 Doc: DEED
Page: 1 of 3 04/20/2005 11:49 AM

QUITCLAIM DEED

I, **Rebecca M. Perreault**, of Gardner, Worcester County, Massachusetts

for consideration paid, and in full consideration of One and 00/100 Dollars (\$1.00)

Grant to **Andre E. Guertin** and **Suzanne G. Guertin**, husband and wife, as tenants by the entirety,

Of 582 Pearl Street, Gardner, Worcester County, Massachusetts

with QUITCLAIM COVENANTS

the land in Gardner, Worcester County, Massachusetts,

Parcel One

A Parcel of land situated on the northerly side of the so-called Winchendon Road (now known as Green Street) leading from said Gardner to Winchendon bounded and described as follows:

BEGINNING at a point located on the northerly line of said Winchendon Road, which point is located 500 feet easterly from a stone wall at land now or formerly of one Whitney;
THENCE S. 30° E. along said Winchendon Road 660 feet to other land of grantor herein;
THENCE N. 57.75° E. along said land of grantor herein, 860 feet, more or less, to a drill hole in a stone wall located on the southerly side of Old John Eaton Road;
THENCE northerly along a stone wall at land now or formerly of Rector Reed, 790 feet, more or less, to the land of the Boston & Maine Railroad and land of grantor herein;
THENCE southwesterly along said land of grantor herein 1,450 feet, more or less, to the place of beginning.

EXCEPTING therefrom, a certain parcel of land situated at 1263 Winchendon Road on the northeasterly side of said Winchendon Road a/k/a Green Street, Route #140, in Gardner, Worcester County, Massachusetts, bounded and described as follows:

BEGINNING at the most southerly corner thereof, at an iron pin in the northeasterly line of Winchendon Road, a/k/a Green Street, Route # 140, at a corner of land of The City of Gardner;
THENCE N. 30° 07' 16" W. by said road line 250.00 feet to an iron pin at a corner of other land of Rebecca M. Perreault, the grantor herein;
THENCE N. 57° 14' 13" E. 525.00 feet to an iron pin;
THENCE S. 30° 07' 16" E. 250.00 feet to an iron pin at land of the first mentioned City of Gardner, the preceding two courses being by said Perreault land;
THENCE S. 57° 14' 13" W. by said city land 525.00 feet to an iron pin in the northeasterly line of Winchendon Road and the point of beginning.

Returned to: *Andre and Suzanne Guertin*
582 Pearl St
Gardner MA 01440

Green Street Gardner MA

3 *W/s/a Rebecca Perreault*

CONTAINING 3.0099 acres or 131,110 square feet. Said excepted parcel being shown on a plan entitled "Plan of Land prepared for Rebecca M. Perreault, (owner: Book 3142, Page 278), Gardner, MA, dated March 31, 2005, prepared by Szoc Surveyors, 32 Pleasant Street, Gardner, MA (978-632-0233) 1 inch = 80 feet, recorded in the Worcester County Registry of Deeds in Plan Book 824 Plan 96.

For grantors title see deed from the City of Garder to Herve J. Perreault and Rebecca M. Perreault, husband and wife, as tenants by the entirety, dated July 21, 1948 and recorded in the Worcester County Registry of Deeds in Book 3142, Page 278.

Parcel Two

The land in the northerly part of Gardner located on the northeasterly side of Green Street, formerly known as Winchendon Road, and bounded and described as follows:

BEGINNING at a point on the northerly line of said Green Street 500 feet southeasterly from the junction of said northerly line of Green Street and a stonewall forming the westerly boundary of other land now or formerly of the City of Gardner;

THENCE northeasterly by land now or formerly of Herve Perreault 1,450 feet, more or less, to the junction of the southwesterly boundary of land now or formerly of the Worcester Division of the Boston & Maine Railroad and a stonewall forming the easterly boundary of said land now or formerly of Herve Perreault;

THENCE northwesterly along said southwesterly boundary of land now or formerly of the Worcester Division of the Boston & Maine Railroad approximately 800 feet;

THENCE southwesterly approximately 400 feet to a point 50 feet easterly from the easterly edge of Wilder Brook;

THENCE southwesterly by a line parallel to and 50 feet easterly of said Wilder Brook 1,800 feet, more or less, to the said northerly line of Green Street;

THENCE southeasterly along said northerly line of Green Street approximately 50 feet to the place of beginning.

CONTAINING 17 acres, more or less.

BEING THE SAME PREMISES conveyed to Herve J. Perreault by deed of the City of Gardner dated April 18, 1951 and recorded in the Worcester County Registry of Deeds in Book 4919, Page 422. I derive my title as devisee under the Will of Herve J. Perreault, see Worcester County Probate Docket #PR 0418 EP1. Herve J. Perreault became deceased on December 30, 1997. See Affidavit of No Estate Tax Due recorded in said Registry at Book 36139, Page 375.

Executed as a sealed instrument this 12 day of April, 2005

REBECCA PERREAU Rebecca Perreault
Rebecca M. Perreault

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

On this 12 day of April, 2005, before me, the undersigned notary public, personally appeared Rebecca M. Perreault, proved to me through satisfactory evidence of identification, which was Work ID, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.



M. Celeste Reynolds
M. Celeste Reynolds

Notary Public

My commission expires:



M. CELESTE REYNOLDS
Notary Public
Commonwealth of Massachusetts
My Commission Expires
October 25, 2007

ATTEST: WORC. Anthony J. Vigliotti, Register

Parcel ID:

M42-08-05

Address:

1263 Green St

Owner:

George Perrault

Other:

Current use would be grandfathered in the
event of a zoning change

Property Location 1263 GREEN ST Map ID M42/ 8/ 5/ 1 Bldg # 1 Card # 1 of 1 State Use 1010
 Vision ID 2003 Account # Bldg Name Sec # 1 of 1 Print Date 15/2023 2:13:47 PM

CURRENT OWNER		UTILITIES		STRT/ROAD		LOCATION		CURRENT ASSESSMENT	
PERREAULT GEORGE T	2 High	5 Well	1 Paved	3 Rural	RESIDENTL	1010	170,700	1010	170,700
C/O THEODORE PERREAULT	6 Septic				RES LAND	1010	65,000	1010	65,000
1263 GREEN ST	SUPPLEMENTAL DATA								316
GARDNER MA 01440	All Pct ID							GARDNER, MA	
	Sub-Div							VISION	
	Photo								
	Ward								
	Prec.								
GIS ID M_158951_929317	Assoc Pld#								

RECORD OF OWNERSHIP		BK/VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	Total
PERREAULT GEORGE T	36858	0059	07-22-2005	U	1	1A	0	235,700
PERREAULT REBECCA M	03142	0278						235,700

EXEMPTIONS		Year	Code	Description	Amount	Comm Int	Total
		2023	1010		170,700		170,700
			1010		65,000		65,000
							196,500
							176,800

OTHER ASSESSMENTS		Year	Code	Description	Amount	Comm Int
		2022	1010		145,900	
		2021	1010		50,600	

ASSESSING NEIGHBORHOOD		Nbhd	Name	Tracing	Batch
		0001	B		

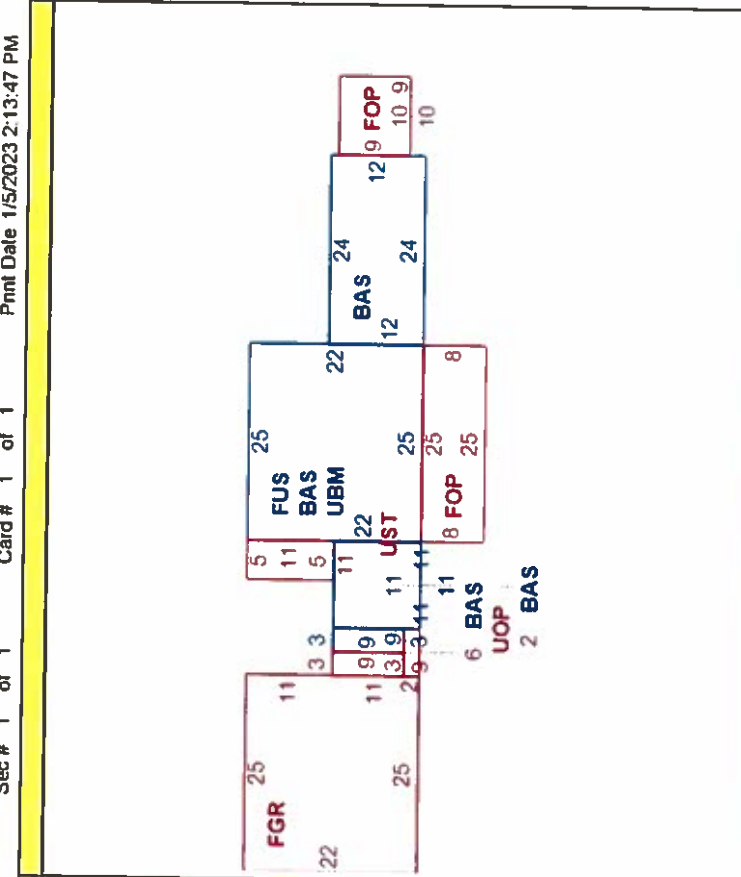
BUILDING PERMIT RECORD		Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments

LAND LINE VALUATION SECTION		B Use Code	Description	Zone	Land Type	Land Units	Unit Price	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd. Adj.	Notes
1	1010	Single Fam MDL	R2		60,000 SF	1.30	0.75000	4	1.00	1.00		1.000	
1	1010	Single Fam MDL	R2		1.620 AC	4,000.00	1.00000	0	1.00	1.00		1.000	
Total Card Land Units					3.00 AC								
Total Appraised Parcel Value													235,700

VISIT / CHANGE HISTORY		Date	Id	Type	Is	Cd	Purpose/Result
		06-29-2022	HS	01	8	00	Measur+Listed
		02-17-2009	PR	00		00	Measur+Listed
		01-15-2009	VA	11		00	Callback Letter Mailed
		10-20-2008	PR	08		00	Measur Estmt
		10-16-1996	ST	00		00	Measur+Listed
		09-10-1996	MP	01		01	Measur+1 Visit - Info Car
		06-19-1981				41	

WHITE IF
 UGR=POOR (DIRT FLOOR)
 VS HOUSE-98
 HOUSE EST = NO TRESPASSING 10/08

CONSTRUCTION DETAIL		Element	Cd	Description					
Style:	03	Colonial							
Model:	01	Residential							
Grade:	03	Average							
Stories:	2	2 Stories							
Occupancy	1								
Exterior Wall 1	25	Vinyl Siding							
Exterior Wall 2	11	Clapboard							
Roof Structure:	03	Gable/Hip							
Roof Cover	03	Asph/F Gls/Cmp							
Interior Wall 1	06	Cust Wd Panel							
Interior Wall 2									
Interior Fir 1	06	Inlaid Sht Gds							
Interior Fir 2									
Heat Fuel	02	Oil							
Heat Type:	04	Forced Air-Duc							
AC Type:	01	None							
Total Bedrooms	04	4 Bedrooms							
Total Bathrms:	1								
Total Half Baths	0								
Total Xtra Fixtrs	7								
Total Rooms:	02	Average							
Bath Style:	02	Average							
Kitchen Style:									
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)									
Code	Description	UB	Units	Unit Price	Yr Bilt	Comd. Cd	% Gd	Grade	Appr. Value
FPL1	Fireplace 1 St	B	1	3300.00	1980		60		2,000
BUILDING SUB-AREA SUMMARY SECTION									
Code	Description	Living Area	Floor Area	Eft Area	Unit Cost	Unleprec Value			
BAS	First Floor	986	986	27	138.49	136,551			
FEP	Porch, Enclosed, Finished	0	27	550	97.46	2,631			
FGR	Garage, Finished	0	550	220	55.40	30,468			
FOP	Porch, Open, Finished	0	290	58	27.70	8,032			
FUS	Upper Story, Finished	550	550	138.49	76,170	18,558			
UBM	Basement, Unfinished	0	671	134	27.66	18,558			
UOP	Porch, Open, Unfinished	0	12	2	23.08	277			
UST	Utility, Storage, Unfinished	0	55	25	62.95	3,462			
		111 Gross Liv / Lease Area	1,536	3,141	1,994	5,000.00	276,149		



Worcester District Registry of Deeds - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 2/7/2023 2:47:14 PM

Doc#	Document Type	Town	Book/Page	File Date	Consideration
118153	DEED		36858/59	07/22/2005	100.00
Property-Street Address and/or Description					
1263 WINCHENDON RD, GREEN ST, ROUTE 140					
Grantors					
PERREAULT REBECCA M					
Grantees					
PERREAULT GEORGE T					
Refernces-Book/Pg Description Recorded Year					
Registered Land Certificate(s)-Cert# Book/Pg					



2005 00118153

Bk: 36858 Pg: 59 Doc: DEED
Page: 1 of 2 07/22/2005 10:02 AM

DEED

1263 Winchendon Road, aka Green Street, Gardner, Massachusetts

I, **REBECCA M. PERREAULT**, now of Gardner, Worcester County, Massachusetts, for consideration paid and in full consideration of less than One Hundred (\$100.00) Dollars, hereby grant to **GEORGE T. PERREAULT**, now of 2 Victor Avenue, Worcester, Worcester, Worcester County, Massachusetts, with **quitclaim covenants**, a certain parcel of land with buildings thereon, situated at 1263 Winchendon Road, in Gardner, Worcester County, Massachusetts, on the northeasterly side of said Winchendon Road, as known as Green Street, Route 140, in said Gardner, Massachusetts, said parcel being shown on a plan entitled "Plan of Land Prepared for Rebecca M. Perreault, (Owner: Book 3142, Page 278) Gardner, MA, March 31, 2005, Szoc Surveyors, 32 Pleasant Street, Gardner, MA, (978-632-0233) 1 inch = 80 feet" and recorded in the Worcester County Registry of Deeds in Plan Book 824, Plan 96, further bounded and described as follows:

BEGINNING at the most southerly corner thereof, at an iron pin in the northeasterly line of Winchendon Road, a/k/a/ Green Street, Route 140, at the corner of land now or formerly owned by the City of Gardner;

THENCE N. 30° 07' 16" W. by said road line, 250.00 feet to an iron pin at the corner of other land now or formerly of Rebecca M. Perreault;

THENCE N. 57°14' 13" E., 525 feet to an iron pin;

THENCE S. 30° 07' 16"E., 250.00 feet to an iron pin at land now or formerly of the City of Gardner, the preceding two courses being by land now or formerly of Perreault;

THENCE S. 57° 14' 13" W., by land now or formerly of the City of Gardner, 525.00 feet to an iron pin in the northeasterly line of Winchendon Road and the point of beginning.

RETURN TO: George T. Perreault
2 Victor Avenue
Worcester, Massachusetts 01603

2

TL

Containing 3.0099 acres or 131,110 square feet of land, more or less, according to said Plan.

BEING A PORTION OF THE SAME PREMISES conveyed to Herve J. Perreault and Rebecca M. Perreault, dated July 21, 1948 and recorded in the Worcester Registry of Deeds in Book 3142, Page 278.

WITNESS my hand and seal this 18 day of July, 2005.

Rebecca M. Perreault
REBECCA M. PERREAULT

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss.

On this 18th day of July 2005, then personally appeared the above-named REBECCA M. PERREAULT and known to me and who produced her identification and proved to be the person whose named is signed on this document and acknowledged to me that she signed it voluntarily as her free act and deed, before me,

M. Celeste Reynolds
Notary Public

My commission expires:

Seal

M. CELESTE REYNOLDS
Notary Public
Commonwealth of Massachusetts
My Commission Expires
October 25, 2007

ATTEST: WORC. Anthony J. Vigliotti, Register

Parcel ID:

M42-20-07

Address:

No Formal Address

Owner:

City of Gardner

Other:

Bike Trail

95 PLEASANT ST STE 125	TOPO	UTILITIES	STRT /ROAD	LOCATION	DESCRIPTION	CODE	APPRAISED	ASSESSED	316
GARDNER MA 01440					EXM LAND	9300	56,800	56,800	GARDNER, MA

SUPPLEMENTAL DATA		GIS ID M_159113_929702		Assec Pld#		<h1 style="text-align: center;">VISION</h1>			
All Parcel ID		Sub-Div		Photo Ward Prec.					

RECORD OF OWNERSHIP		BK-VOL/PAGE SALE DATE Q/U VI SALE PRICE VC		PREVIOUS ASSESSMENTS (HISTORY)		Total										
CITY OF GARDNER	22762	0386	07-06-2000	U	V	20,400	1E	2023	9300	56,800	2022	9300	47,500	2021	9300	43,800
Total						56,800		47,500		56,800		47,500		43,800		

EXEMPTIONS		OTHER ASSESSMENTS		APPRAISED VALUE SUMMARY					
Year Code	Description	Amount	Code	Description	Number	Amount	Comm Int	Appraised Bldg. Value (Card)	0
								Appraised Xf (B) Value (Bldg)	0
								Appraised Ob (B) Value (Bldg)	0
								Appraised Land Value (Bldg)	56,800
								Special Land Value	0
								Total Appraised Parcel Value	56,800
Total		0.000							

ASSESSING NEIGHBORHOOD		NBHD		Tracing		Batch	
Nbhd	0001	Nbhd Name	B				

BUILDING PERMIT RECORD		ISSUE DATE		INSPECTION DATE		DATE COMP		COMMENTS	
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp		

LAND LINE VALUATION SECTION		TOTAL APPRAISED PARCEL VALUE		VISIT/CHANGE HISTORY											
Use Code	Description	Zone	Land Type	Land Units	Unit Price	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd. Adj.	Notes	Special Use	Adj Unit Price	Land Value	
1	9300 City of Gardner V	R2	R2	43,560 SF	1,74	1,000,000	5	0.50	1,000	1,000	POT		0	0.87	38,000
1	9300 City of Gardner V	R2	R2	11,000 AC	4,000.00	0.93000	0	0.50	1,000	1,000	TOPO		0	1,711.2	18,800
Total Card Land Units		12.00		AC		Parcel Total Land Area: 12.00		Total Appraised Parcel Value		56,800		Total Land Value		56,800	

VISIT/CHANGE HISTORY		DATE		ID		TYPE		IS		CD		PURPOSE/RESULT	
			10-20-2008		PR						99		

CONSTRUCTION DETAIL (CONTINUED)

Element	Cd	Description	Element	Cd	Description
Style: 99		Vacant Land			
Model: 00		Vacant			
Grade:					
Stories:					
Occupancy:					
Exterior Wall 1					
Exterior Wall 2					
Roof Structure:					
Roof Cover:					
Interior Wall 1					
Interior Wall 2					
Interior Fir 1					
Interior Fir 2					
Heat Fuel:					
Heat Type:					
AC Type:					
Total Bedrooms:					
Total Bathrooms:					
Total Half Baths:					
Total Xtra Fixtrs:					
Total Rooms:					
Bath Style:					
Kitchen Style:					

MIXED USE	
Code	Description
9300	City of Gardner V
	Percentage
	100
	0
	0

COST/MARKET VALUATION

RCN	0
Year Built	0
Effective Year Built	0
Depreciation Code	0
Remodel Rating	0
Year Remodeled	0
Depreciation %	0
Functional Obsol	0
Economic Obsol	0
Trend Factor	1
Condition	
Condition %	
Percent Good	
RCNLD	0
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	L/B	Units	Unit Price	Yr Bill	Cond. Cd	% Gd	Grade	Grade Adj.	Appt. Value
BUILDING SUB-AREA SUMMARY SECTION										
Code	Description									
	Living Area									
	Floor Area									
	Eir Area									
	Unit Cost									
	Undeprec Value									

Ttl Gross Liv/ Lease Area										
	0									0

No Sketch

Worcester District Registry of Deeds - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 2/7/2023 2:53:28 PM

Doc#	Document Type	Town	Book/Page	File Date	Consideration
79188	DEED		22762/386	07/06/2000	20400.00
Property-Street Address and/or Description					
REL WINCHENDON RD PL BK 756-125					
Grantors					
BOSTON & MAINE CORP					
Grantees					
GARDNER CITY					
References-Book/Pg Description Recorded Year					
Registered Land Certificate(s)-Cert# Book/Pg					

Jyca

RELEASE DEED

The BOSTON AND MAINE CORPORATION, a corporation duly organized and existing under the laws of the State of Delaware, with offices at Iron Horse Park, North Billerica, Middlesex County, Massachusetts (the "Grantor") in consideration of Twenty Thousand Four Hundred and no/100 (\$20,400.00) Dollars paid to it by CITY OF GARDNER, having a mailing address of City Hall, Gardner, Massachusetts, (the "Grantee") hereby grants to the Grantee all the Grantor's right, title and interest, without any warranties or covenants of title whatsoever, in a certain parcel of land, and the buildings, bridges, structures, crossings, fixtures and improvements thereon, if any, situated in Gardner, County of Worcester, Commonwealth of Massachusetts, (the "Premises") described as follows:

**SEE EXHIBIT "A" ATTACHED HERETO AND
MADE A PART HEREOF BY THIS REFERENCE.**

00 JUL - 6 AM 9:33

Winchendon Road, Gardner, MA

This conveyance is subject to the following reservations, conditions, covenants and agreements:

1. This conveyance is made without granting any right of way, either by necessity or otherwise, over any remaining land or location of the Grantor.
2. The Grantor hereby reserves a permanent, exclusive right of way and easement¹ ~~in, on, over, under, across and through~~ the Premises for the purpose of accessing, constructing, installing, operating, maintaining, modifying, repairing, replacing, relocating and removing a telecommunications system or other system for transmission of intelligence or information by any means, whether now existing or hereafter devised, including such poles, pipes, wires, fibers, fiberoptic cables, repeater stations, attachments, appurtenances, structures or other equipment and property of any description necessary or useful for the same (the "Telecommunications Easement"). The Grantor further reserves the right to freely lease, license, mortgage, assign, pledge and otherwise alienate the Telecommunications Easement. The Grantee hereby covenants with the Grantor to recognize the Telecommunications Easement and, without the payment of any further consideration, to execute, acknowledge and deliver such instruments suitable for recording with the registry of deeds as the Grantor may reasonably require to acknowledge title to the Telecommunications Easement in the Grantor. The Grantor covenants to reasonably repair and restore the surface of the easement area after any work.

¹ under

Law Offices of
George C. Corey
144 Central Street
Gardner, MA 01440

3. The Grantor excepts from this conveyance any and all railroad tracks, railroad track materials (including, but not limited to, ties, connections, switches and ballast) and/or related equipment of any description located in whole or in part within the Premises (the "Trackage") and this conveyance is subject to the right of the Grantor to enter the Premises from time to time and at any and all times within the ninety (90) day period commencing with and subsequent to the date of delivery of this deed, with such men, equipment and materials as, in the reasonable opinion of the Principal Engineering Officer of the Grantor, are necessary for the removal of the Trackage. Days during the months of December, January, February and March shall not be included in the aforesaid ninety (90) day period. If the Trackage is not removed from the Premises by the expiration of said ninety (90) day period, the Trackage shall be deemed abandoned by the Grantor and shall then become the property of the Grantee.
4. ~~The Grantor excepts from this conveyance any and all advertising signs and/or billboards located upon the Premises which are not owned by the Grantor. Furthermore, this conveyance is subject to the right of the owners of said signs and/or billboards to go upon the Premises and remove them within ninety (90) days from the date of delivery of this deed.~~
5. By the acceptance of this deed and as part consideration therefor, the Grantee hereby assumes any and all agreements, covenants, obligations and liabilities of the Grantor in respect to any underground facilities, drainage culverts, walls, crossings and/or other structures of any nature and description located in whole or in part within the Premises.
6. By the acceptance of this deed and as part consideration therefor, the Grantee agrees to irrevocably waive, give up and renounce any and all claims or causes of action against the Grantor in respect of claims, suits and/or enforcement actions (including any administrative or judicial proceedings and any remedial, removal or response actions) ever asserted, threatened, instituted or requested by any person and/or governmental agency on account of: (a) any release of oil or hazardous materials or substances of any description on, upon or into the Premises in contravention of any ordinance, law or statute (including, but not limited to, the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. Section 9601, et seq., as amended); and (b) any and all damage to real or personal property, natural resources and/or harm or injury to persons alleged to have resulted from such release of oil or hazardous materials or substances. This provision does not apply to any future activity on the premises or any part thereof conducted by the Grantor, including but not limited to its exercise of its rights as set forth in paragraph 2 hereof.

7. ~~By the acceptance of this deed and as part consideration therefor, the Grantee hereby agrees to build and forever maintain fences (together with any necessary gates), suitable to the Principal Engineering Officer of the Grantor, along the boundaries of the Premises which are common to remaining land or location of the Grantor (the "Fences"), if Fences are ever required in the sole and reasonable opinion of said Principal Engineering Officer.~~
8. ~~This conveyance is subject to the following restriction for the benefit of other land or location of the Grantor, to wit: that from the date of delivery of this deed, the Grantor shall not be liable to the Grantee or any lessee or user of the Premises (or any part thereof) for any damage to any buildings or property upon them caused by fire, whether communicated directly or indirectly by or from locomotive engines of any description upon the railroad operated by the Grantor, or otherwise.~~
9. ~~By the acceptance of this deed and as part consideration therefor, the Grantee hereby agrees to make no use of the Premises which, in the sole and reasonable opinion of the Principal Engineering Officer of the Grantor, adversely affects, increases or decreases drainage to, from, upon or in any remaining land or location of the Grantor. The Grantee agrees to indemnify and save the Grantor harmless from and against any and all loss, cost, damage or expense including, but not limited to, the cost of defending all claims and/or suits for property damage, personal injury or death arising out of or in any way attributable to any breach of the foregoing covenant.~~
10. ~~The Grantor excepts from this conveyance any and all overhead, surface or underground signal and communication line facilities of the Grantor located within the limits of the Premises and this conveyance is subject to the Grantor's use of any such facilities in their present locations and entry upon the Premises from time to time to maintain, repair, replace, renew, relay or remove such facilities.~~
11. Whenever used in this deed, the term "Grantor" shall not only refer to the **BOSTON AND MAINE CORPORATION**, but also its successors, assigns and affiliates and the term "Grantee" shall not only refer to the above-named Grantee, but also the Grantee's successors, assigns and grantees, as the case maybe.
12. The several exceptions, reservations, conditions, covenants and agreements contained in this deed shall be deemed to run with the land and be binding upon the Grantee forever. In addition to the acceptance and recording of this deed, the Grantee hereby signifies assent to the said several exceptions, reservations, conditions, covenants and agreements, by joining in its execution.

IN WITNESS WHEREOF, the said BOSTON AND MAINE CORPORATION has caused this release deed to be executed in its name and its corporate seal to be hereto affixed by David A. Fink, its Chief Executive Officer, thereunto duly authorized this 13th day of June, 2000.

GRANTOR:
BOSTON AND MAINE CORPORATION

Robert Sauvail
Witness

By: David A. Fink
David A. Fink, Chief Executive Officer

GRANTEE:
CITY OF GARDNER

Robert Sauvail
Witness

By: David A. Fink

Seal

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

June 13, 2000

Then personally appeared the above-named David A. Fink, its Chief Executive Officer of the BOSTON AND MAINE CORPORATION and acknowledged the foregoing release deed to be his free act and deed and the free act and deed of said BOSTON AND MAINE CORPORATION, before me.

[Signature]
Notary Public
My Commission Expires: 12/03/04 *See 1*

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

6/22, 2000

Then personally appeared Daniel J. Kelley the MAYOR of the CITY OF GARDNER and acknowledged the foregoing release deed to be his/her free act and deed and the free act and deed of said CITY OF GARDNER, before me.

[Signature: Theresa W. Hillman]
Notary Public:
My Commission Expires: 8/25/06 *See 1*

EXHIBIT A

LAND CONVEYED TO THE CITY OF GARDNER MASSACHUSETTS
BY THE BOSTON AND MAINE RAILROAD

All of the Land of the Boston and Maine Corporation lying within the existing Railroad Right-of Way between Railroad Station 1550+50± at State Route 140 in Gardner, MA and Railroad Station 1606+00 ± at the Gardner/Winchendon City/Town Line. Said land is shown on plans entitled "Right of Way Plan in Gardner, Massachusetts of the Boston and Maine Corporation Property being conveyed to the City of Gardner, Massachusetts, Scale 1"-100' Weston and Sampson Engineers, Inc. 88 Waverly Street Framingham, Massachusetts 01701. "Said plans dated June 5, 2000, being the same property as shown on the "Right of Way and Track Map Fitchburg R.R. Co., operated by the Boston and Maine R.R. Scale 1"-100' dated June 30, 1914 Office of Valuation Engineer Boston, Massachusetts."

Said Plans are numbered V.39-2-30, and V.39-2-31. *Plan Book 756, Plan 125*

BOSTON AND MAINE CORPORATION


Secretary's Certificate

I, John R. Nadolny, being the duly elected and presently serving Secretary of Boston and Maine Corporation (the "Corporation") do hereby certify that the following vote was adopted by the Directors of the Corporation at a meeting of the Board of Directors held on July 23, 1998:

VOTED: That David A. Fink, Chief Executive of the Corporation, in connection with sales of parcels of real estate of the Corporation with purchase prices of less than One Hundred Thousand and no/100 (\$100,000.00) Dollars, is hereby authorized, empowered and directed, on behalf of and in the name of the Corporation, to execute, seal and deliver such agreements of sale, deeds, certificates or instruments, and to take such other action as he may deem necessary, appropriate or convenient to sell such parcels, consummate such transactions, and effect the purposes of this vote.

I further certify that such vote has not been altered, amended, or rescinded and remains in full force and effect as of the date hereof.

WITNESS my hand and the seal of the Corporation as of this 13th day of June, 2000.


John R. Nadolny, Secretary

Sec'

ATTEST: WORC. Anthony J. Vigliotti, Register

Parcel ID:

R42-21-01

Address:

827 Green Street

Owner:

GAAMHA, Inc.

Other:

Current use protected under the Dover
Amendment, MGL c.40A, §3 – Exempt from
Zoning

Property Location 827 GREEN ST
 Vision ID 4622
 Account # 827 GREEN ST
 Map ID R42/ 21/ 1/ 1
 Bldg # 1
 Bldg Name Sec # 1 of 1
 Card # 1 of 1
 State Use 9591
 Print Date 1/5/2023 7:53:49 PM

CURRENT OWNER		UTILITIES		STRT/ROAD		LOCATION		CURRENT ASSESSMENT			PREVIOUS ASSESSMENTS (HISTORY)					
TOPO	Level	Well	Septic	Paved	Suburban	Code	Description	Code	Appraised	Assessed	Code	Year	Assessed			
GAAMHA INC	1	5	6	1	2	9590	EXEMPT	9590	406,400	406,400	0101	2021	280,300			
208 COLEMAN ST						9590	EXM LAND	9590	390,300	390,300	0101		38,300			
GARDNER MA 01440						9590	EXEMPT	9590	81,400	81,400	0101		61,800			
SUPPLEMENTAL DATA																
All Prci ID																
Sub-Div																
Photo																
Ward																
Prec.																
GIS ID M_159605_928995		Assoc Pld#														
Total		878,100		878,100												
RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	OTHER ASSESSMENTS								
Year	Code	Amount	Description	Number	Amount	Comm Int										
		63792	211	U	U	799,900	1K									
		52256	0213	U	U	1	1H									
		50812	0071	U	U	99	1A									
		07738	0252	U	U	70,000	1B									
		04784	0265	U	U	0	0									
Total		0.00														
EXEMPTIONS		Code	Description	Amount	Comm Int											
ASSESSING NEIGHBORHOOD		Nbrd	Nbrd Name	Batch												
		0001	WHITE&BRICK/IA													
			REMOVED FROM 61B FY2022													
			7/2022 CARL E DAVIS HOUSE @ EVERGREEN GR													
BUILDING PERMIT RECORD		Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments	Date	Id	Type	Is	Cd	Purpose/Result
B-22-178	03-23-2022	20	Comm Misc	5,000	04-14-2022	100	08-17-2022	100	08-17-2022	DRO 36" TEMPORARY TRAIL	07-15-2022	VA	DK		23	Field Review
B-21-309	10-20-2021	22	Res Misc	35,000	12-15-2021	100	08-17-2022	100	08-17-2022	Install a residential sprinkler sy	07-12-2010	DK	PW		00	Measur+Listed
B-21-801	10-04-2021	10	Sign Addition	600	11-05-2021	100	08-17-2022	100	08-17-2022	24"X36" DOUBLE-SIDED SIG	10-02-1996	PW			02	Measur+2 Visit - Info Car
B-20-762	02-22-2021	13	Sign Addition	250,000	12-15-2021	100	12-15-2021	100	12-15-2021	28' x 30' 10" addition and whol	06-16-1981	11			20	MLS Listing
Total Appraised Parcel Value		878,100														
VISIT / CHANGE HISTORY		Date	Id	Type	Is	Cd	Purpose/Result									
		07-15-2022	VA	DK		23	Field Review									
		07-12-2010	DK	PW		00	Measur+Listed									
		10-02-1996	PW			02	Measur+2 Visit - Info Car									
		06-16-1981	11			20	MLS Listing									
LAND LINE VALUATION SECTION		Zone	Description	Land Type	Land Units	Unit Price	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd. Adj.	Special Use	Adj Unit Pnc	Land Value		
1	9591	R2	Char Housing R	R2	60,000	1.30	0.75000	4	1.00		1.000		0	58,500		
1	9590	R2	Char Housing V	R2	113,620	4,000.00	1.00000	0	1.00		1.000		0	331,800		
Total Card Land Units		115.00 AC		Parcel Total Land Area		115.00		Total Land Value		390,300						

APPRAISED VALUE SUMMARY

Appraised Bldg. Value (Card) 402,600
 Appraised X1 (B) Value (Bldg) 3,800
 Appraised Ob (B) Value (Bldg) 81,400
 Appraised Land Value (Bldg) 390,300
 Special Land Value 0
 Total Appraised Parcel Value 878,100

APPRAISED VALUE SUMMARY

Appraised Bldg. Value (Card) 402,600
 Appraised X1 (B) Value (Bldg) 3,800
 Appraised Ob (B) Value (Bldg) 81,400
 Appraised Land Value (Bldg) 390,300
 Special Land Value 0
 Total Appraised Parcel Value 878,100

LAND LINE VALUATION SECTION

Zone	Description	Land Type	Land Units	Unit Price	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd. Adj.	Special Use	Adj Unit Pnc	Land Value
1	9591	R2	Char Housing R	R2	60,000	1.30	0.75000	4	1.00		1.000	58,500
1	9590	R2	Char Housing V	R2	113,620	4,000.00	1.00000	0	1.00		1.000	331,800
Total Card Land Units		115.00 AC		Parcel Total Land Area		115.00		Total Land Value		390,300		

Property Location
Vision ID 4622

Account #
827 GREEN ST

Map ID R42/21/1/1
Bldg # 1

Bldg Name
Sec # 1 of 1

Card # 1 of 1

State Use 9591
Print Date 1/5/2023 7:53:49 PM

CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)									
Element	Cd	Description	Element	Cd	Description						
Style:	03	Colonial									
Model:	01	Residential									
Grade:	05	Average +20									
Stories:	2	2 Stories									
Occupancy:	2	MIXED USE									
Exterior Wall 1	25	Vinyl Siding									
Exterior Wall 2	20	Brick/Masonry									
Roof Structure:	03	Gable/Hip									
Roof Cover:	03	Asph/F Gls/Cmp									
Interior Wall 1	05	Drywall/Sheet									
Interior Wall 2											
Interior Fir 1	12	Hardwood									
Interior Fir 2	14	Carpet									
Heat Fuel:	02	Oil									
Heat Type:	05	Hot Water									
AC Type:	01	None									
Total Bedrooms:	05	5 Bedrooms									
Total Baths:	3										
Total Half Baths:											
Total Xtra Fixtrs:											
Total Rooms:	10	10 Rooms									
Bath Style:	02	Average									
Kitchen Style:	02	Average									
COST / MARKET VALUATION											
RCN		559,197									
Year Built		1978									
Effective Year Built		1994									
Depreciation Code		A									
Remodel Rating		28									
Year Remodeled		0									
Depreciation %		46									
Functional Obsol		0									
Economic Obsol		1									
Trend Factor		72									
Condition %		402,600									
Percent Good											
RCNLD											
Dep % Ovr											
Dep Ovr Comment											
Misc Imp Ovr											
Misc Imp Ovr Comment											
Cost to Cure Ovr											
Cost to Cure Ovr Comment											
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)											
Code	Description	L/B	Units	Unit Price	Yr Blt	Cond.	Cd	% Gd	Grade	Ad.	Appr. Value
STB1	Stable - A	L	3,500	17.00	1978			50			29,800
BRN3	Barn 1 St w/Lf	L	2,736	25.00	1978			75			51,300
SPR1	Sprinklers Wet	B	2,914	1.75	2022			75			3,800
SGN2	Sign 2 Sd	L	6	50.00	2021			100			300
BUILDING SUB-AREA SUMMARY SECTION											
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprc Value					
BAS	First Floor	1,964	1,964	1,964	145.31	285,385					
FEP	Porch, Enclosed, Finished	0	168	118	102.06	17,146					
FOP	Porch, Open, Finished	0	230	46	29.06	6,684					
FUS	Upper Story, Finished	1,288	1,288	1,288	145.31	187,157					
UBM	Basement, Unfinished	0	1,626	325	29.04	47,225					
II Gross Liv / Lease Area		3,252	5,276	3,741	15,600.00	543,597					

14 FEP 12
12 14

FUS 46
BAS 13
UBM 13
28 26 26 26
5 FOP 46 5 13



Worcester District Registry of Deeds - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 2/7/2023 2:34:35 PM

Doc#	Document Type	Town	Book/Page	File Date	Consideration
146123	DEED		66317/109	10/18/2021	100.00
Property-Street Address and/or Description					
WINCHENDON RD					
Grantors					
LEBLANC THOMAS R, ROSENBLATT DEBORAH M, MCAVOY JOANN M, LEBLANC STEVEN J, MCAVOY ROBERT, LEBLANC LINDA					
Grantees					
GAAMHA INC					
References-Book/Pg Description Recorded Year					
66315/188 DEED 2021					
Registered Land Certificate(s)-Cert# Book/Pg					

Worcester South District Registry of Deeds Electronically Recorded Document

This is the first page of the document – Do not remove

Recording Information

Document Number	: 146123
Document Type	: DEED
Recorded Date	: October 18, 2021
Recorded Time	: 02:07:25 PM
Recorded Book and Page	: 66317 / 109
Number of Pages(including cover sheet)	: 8
Receipt Number	: 1388460
Recording Fee (including excise)	: \$155.00

 MASSACHUSETTS EXCISE TAX
 Worcester District ROD #20 001
 Date: 10/18/2021 02:07 PM
 Ctrl# Doc# 00146123
 Fee: \$.00 Cons: \$100.00

Worcester South District Registry of Deeds
 Kathryn A. Toomey, Register
 90 Front St
 Worcester, MA 01608
 (508) 798-7717

QUITCLAIM DEED

We Thomas R. LeBlanc, being unmarried, of 339 Salisbury Street, Worcester, MA, 01609, Deborah M. Rosenblatt, being unmarried, 125 Cocassett Street, Unit A, Foxboro, MA, 02035, Joann M. McAvoy, being a married person, of 125 Cocassett Street, Unit B, Foxboro, MA, 02035, and Steven J. LeBlanc, being a married person, of 42 Renee Drive, Felton, DE 19943, Grantors

for consideration paid of LESS THAN ONE HUNDRED and 00/100 (\$100.00) DOLLARS, grant to

GAAMHA, Inc., a Massachusetts not for profit corporation, in good standing, with a mailing address of 208 Coleman Street, Gardner, MA, 01440, Grantee

with quitclaim covenants

A certain tract of land situated on the easterly side of the Winchendon Road in said Gardner, Worcester County, Massachusetts, bounded and described as follows:

COMMENCING at an iron pipe 100 feet northwesterly from a stone bound at land of the City of Gardner;

THENCE northwesterly by the easterly line of said highway, 100 feet to an iron pipe;

THENCE at an included angle of 90° northeasterly by other land now or formerly of GAAMHA, Inc., 100 feet to an iron pipe;

THENCE at an included angle of 90° southeasterly 100 feet to an iron pipe;

THENCE at an included angle of 90° southwesterly 100 feet to the place of beginning, the last two courses being by land now or formerly of Francis R. Cosentino.

Excepting from the foregoing premises, however, so much thereof as may have been taken for highway purposes.

Easterly Side of Winchendon Road, Gardner, MA 01440

Grantor(s) hereby releases any and all homestead rights to the premises and certify under the pains and penalties of perjury that there are no other persons entitled to protection of the Homestead Act. The Grantor(s), further state, pursuant to M.G.L. c. 188, § 13, under oath and subject to the pains and penalties of perjury, do hereby depose, state and certify that: (i) that no spouse, non-owner spouse, former spouse, or any other person resides at the home, is entitled to claim the benefit of an existing estate of homestead; and (ii) at the time of delivery of this deed, no spouse, former spouse, or any other person is entitled to claim the benefit of an existing estate of homestead.

The preparer of this Deed has not conducted a title search.

Being the same premises conveyed to us by Deed of Deborah M. Rosenblatt, Trustee under the Last Will and Testament of Noella M. LeBlanc, Docket No. WO132966EA, dated August, 13, 2021, recorded in the Worcester South District Registry of Deeds in Book 66315, Page 188.

THE REMAINDER OF THIS PAGE IS BLANK

SIGNATURES TO FOLLOW

Executed as a sealed instrument this 28th day of August, 2021.

Thomas R. LeBlanc

Thomas R. LeBlanc

Deborah M. Rosenblatt

Joann M. McAvoy

Steven J. LeBlanc

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss

On this 28th day of August, 2021, before me, the undersigned notary public, personally appeared Thomas R. LeBlanc, proved to me through satisfactory evidence of identification, which was MA Drivers License (source of identification), to be the person whose name is signed on this document, and acknowledged to me that he signed it voluntarily for its stated purpose and that the foregoing instrument is his free act and deed, before me.

David Breton

Notary Public:
My Commission Expires:



COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

On this ___ day of _____, 2021, before me, the undersigned notary public, personally appeared Deborah M. Rosenblatt, proved to me through satisfactory evidence of identification, which was _____ (source of identification), to be the person whose name is signed on this document, and acknowledged to me that she signed it voluntarily for its stated purpose and that the foregoing instrument is her free act and deed, before me.

Executed as a sealed instrument this 23 day of August, 2021.

Thomas R. LeBlanc

Deborah M. Rosenblatt
Deborah M. Rosenblatt

Joann M. McAvoy
Joann M. McAvoy

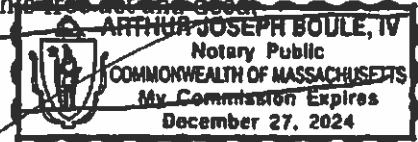
Steven J. LeBlanc

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss

On this 23 day of August, 2021, before me, the undersigned notary public, personally appeared Thomas R. LeBlanc, proved to me through satisfactory evidence of identification, which was _____ (source of identification), to be the person whose name is signed on this document, and acknowledged to me that he signed it voluntarily for its stated purpose and that the foregoing instrument is his free act and deed before me.

[Signature]

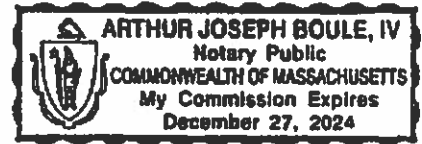


Notary Public.
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

On this 23 day of August, 2021, before me, the undersigned notary public, personally appeared Deborah M. Rosenblatt, proved to me through satisfactory evidence of identification, which was mail (source of identification), to be the person whose name is signed on this document, and acknowledged to me that she signed it voluntarily for its stated purpose and that the foregoing instrument is her free act and deed, before me.



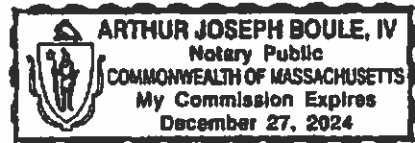
Arthur J. Boule IV

Notary Public: Arthur J. Boule IV
My Commission Expires: 12/27/24

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

On this 23 day of August, 2021, before me, the undersigned notary public, personally appeared Joann M. McAvoy, proved to me through satisfactory evidence of identification, which was ma (source of identification), to be the person whose name is signed on this document, and acknowledged to me that she signed it voluntarily for its stated purpose and that the foregoing instrument is her free act and deed, before me.



Arthur J. Boule IV

Notary Public: Arthur J. Boule IV
My Commission Expires: 12/27/24

I, Robert McAvoy, spouse of Joann M. McAvoy, hereby release all my right, title and interest in Homestead rights for the property known as Easterly Side of Winchendon Road, Gardner, Worcester County, Massachusetts.

Robert McAvoy

Robert McAvoy

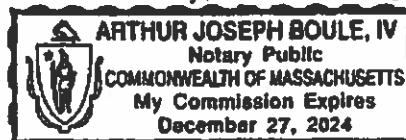
COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

On 23 day of August, 2021, before me, the undersigned notary public, personally appeared Robert McAvoy, the above-named and proved to me through satisfactory evidence of identification being ma, to be the person whose name is signed on this document, and acknowledged to me that he/she signed it voluntarily for its stated purpose and that the foregoing instrument is his/her free act and deed.

Arthur J. Boule IV

Notary Public: Arthur J. Boule IV
COMM EXPIRES: 12-27-2024



Executed as a sealed instrument this 31st day of August, 2021.

Thomas R. LeBlanc

Deborah M. Rosenblatt

Joann M. McAvoy



Steven J. LeBlanc

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss

On this ____ day of _____, 2021, before me, the undersigned notary public, personally appeared Thomas R. LeBlanc, proved to me through satisfactory evidence of identification, which was _____ (source of identification), to be the person whose name is signed on this document, and acknowledged to me that he signed it voluntarily for its stated purpose and that the foregoing instrument is his free act and deed, before me.

Notary Public:
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

On this ____ day of _____, 2021, before me, the undersigned notary public, personally appeared Deborah M. Rosenblatt, proved to me through satisfactory evidence of identification, which was _____ (source of identification), to be the person whose name is signed on this document, and acknowledged to me that she signed it voluntarily for its stated purpose and that the foregoing instrument is her free act and deed, before me.

STATE OF DELAWARE

Kent, ss

On this 31st day of August, 2021, before me, the undersigned notary public, personally appeared Steven J. LeBlanc, proved to me through satisfactory evidence of identification, which was Delaware Driver's License (source of identification), to be the person whose name is signed on this document, and acknowledged to me that he signed it voluntarily for its stated purpose and that the foregoing instrument is his free act and deed, before me.

Robin M. Deputy

Notary Public:
My Commission Expires:



I, Linda LeBlanc, spouse of Steven J. LeBlanc, hereby release all my right, title and interest in Homestead rights for the property known as Easterly Side of Winchendon Road, Gardner, Worcester County, Massachusetts.

Linda LeBlanc

Linda LeBlanc

STATE OF DELAWARE

Kent, ss

On 31st day of August, 2021, before me, the undersigned notary public, personally appeared Linda LeBlanc, the above-named and proved to me through satisfactory evidence of identification being Delaware Driver's License, to be the person whose name is signed on this document, and acknowledged to me that he/she signed it voluntarily for its stated purpose and that the foregoing instrument is his/her free act and deed.

Robin M. Deputy

Notary Public:

My Commission Expires:



ATTEST: WORC Kathryn A. Toomey, Register

Parcel ID:

M42-14-6

Address:

No Formal Address

Owner:

City of Gardner

Other:

Wooded Vacant Lot

Property Location: GREEN ST
 Vision ID: 2004
 Map ID: M4214/6/1
 Account #: [Blank]
 Bldg Name: Sec 1 of 1
 Card # 1 of 1
 State Use: 9300
 Print Date: 1/5/2023 2:13:55 PM

CURRENT OWNER		TOPO		UTILITIES		STRT/ROAD		LOCATION		CURRENT ASSESSMENT	
CITY OF GARDNER		4 Rolling		1 Paved		2 Suburban		EXM LAND		Code: 9300	
95 PLEASANT ST STE 125		AIR Pctd ID		SUPPLEMENTAL DATA						Assessed: 134,100	
GARDNER MA 01440		Sub-Div								Appraised: 134,100	
		Photo								Year: 2021	
		Ward								Code: 9300	
		Prec.								Assessed: 108,100	
GIS ID: M_159126_929207		Assoc Pctd#								Total: 134,100	

RECORD OF OWNERSHIP										
CITY OF GARDNER										
BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	Year	Code	Assessed	Year	Code
1 0	01-01-1900	Q	V	0 00	00	2023	9300	134,100	2022	9300
Total						134,100	Total	115,700	Total	108,100

EXEMPTIONS									
Description									
Amount									
Total: 0.00									

ASSESSING NEIGHBORHOOD									
Nbhd Name: B									
Tracing									
Batch									

NOTES									
Appraised Bldg Value (Card): 0									
Appraised X1 (B) Value (Bldg): 0									
Appraised Ob (B) Value (Bldg): 0									
Appraised Land Value (Bldg): 134,100									
Special Land Value: 0									
Total Appraised Parcel Value: 134,100									

BUILDING PERMIT RECORD										
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments		
Total Appraised Parcel Value: 134,100										

LAND LINE VALUATION SECTION															
B	Use Code	Description	Zone	Land Type	Land Units	Unit Price	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd. Adj.	Notes	Special Use	Adj Unit Pric	Land Value
1	9300	City of Gardner V	R2		43,560 SF	1.74	1.00000	5	1.00		1.000			0	75,900
1	9300	City of Gardner V	R2		0 FF	0.00	1.00000	0	1.00		1.000			0	0
1	9300	City of Gardner V	R2		16,000 AC	4,000.00	1.00000	0	1.00		1.000			0	58,200
Total Card Land Units: 17.00 AC											Parcel Total Land Area: 17.00	Total Land Value: 134,100			

APPRaised VALUE SUMMARY

This signature acknowledges a visit by a Data Collector or Assessor

Property Location
Vision ID 2004

GREEN ST

Map ID M421 14/ 6/ /

Bldg # 1

Bldg Name
Sec # 1 of 1

Card # 1 of 1

State Use 9300
Print Date 1/5/2023 2:13:55 PM

CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)	
Element	Cd	Element	Cd
Style: 99	Vacant Land		
Model: 00	Vacant		
Stories:			
Occupancy			
Exterior Wall 1			
Exterior Wall 2			
Roof Structure:			
Roof Cover			
Interior Wall 1			
Interior Wall 2			
Interior Fir 1			
Interior Fir 2			
Heat Fuel			
Heat Type:			
AC Type:			
Total Bedrooms			
Total Bthrms:			
Total Half Baths			
Total Xtra Fixtrs			
Total Rooms:			
Bath Style:			
Kitchen Style:			
Code	9300	City of Gardner V	Percentage 100 0 0
COST / MARKET VALUATION			
RCN			0
Year Built			0
Effective Year Built			0
Depreciation Code			0
Remodel Rating			
Year Remodeled			
Depreciation %			0
Functional Obsol			0
Economic Obsol			0
Trend Factor			1
Condition			
Condition %			0
Percent Good			0
RCNLD			0
Dep % Ovr			
Dep Ovr Comment			
Misc Imp Ovr			
Misc Imp Ovr Comment			
Cost to Cure Ovr			
Cost to Cure Ovr Comment			

No Sketch



OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)										
Code	Description	L/B	Units	Unit Price	Yr Bilt	Cond. Cd	% Gd	Grade	Grade Adj	Appr. Value
BUILDING SUB-AREA SUMMARY SECTION										
Code	Description	Living Area	Floor Area	Eit Area	Unit Cost	Undeprcc Value				
	Total Gross Liv / Lease Area	0	0	0	0	0				0

Parcel ID:

M42-25-01

Address:

1010 Green Street

Owner:

New England Power (National Grid)

Other:

National Grid Right of Way/ Old Rail Bed

NEW ENGLAND POWER **UTILITIES** **STRT/ROAD** **LOCATION**
 C/O PROP TAX DEPT
 40 SYLVAN RD
 WALTHAM MA 02451-2286
 GIS ID M_159333_928234
 Assoc Pld#

RECORD OF OWNERSHIP
 NEW ENGLAND POWER
 BK-VOL/PAGE SALE DATE QU V/ SALE PRICE VG
 4384 0009 Q V 7,500 00
 Total 80,800

EXEMPTIONS
 Year Code Description Amount Code Description Number Amount
 Total 0.00

OTHER ASSESSMENTS
 Year Code Description Amount
 Total 80,800

ASSESSING NEIGHBORHOOD
 Nbhnd 0001 Nbhnd Name B Tracing Batch

NOTES
 WITH M27/20/51.M27/15/29.M37/20/10

APPRaised VALUE SUMMARY
 Appraised Bldg. Value (Card) 0
 Appraised Xf (B) Value (Bldg) 0
 Appraised Ob (B) Value (Bldg) 0
 Appraised Land Value (Bldg) 80,800
 Special Land Value 0
 Total Appraised Parcel Value 80,800

PREVIOUS ASSESSMENTS (HISTORY)
 Year Code Assessed Year Code Assessed Year Code Assessed
 2023 4230 80,800 2022 4230 74,900 2021 4230 74,900
 Total 80,800 74,900 74,900

IND LAND
 Description Code Appraised Assessed
 4230 80,800 80,800

APPRaised VALUE SUMMARY
 Total 80,800

APPRaised VALUE SUMMARY
 Total 80,800

APPRaised VALUE SUMMARY
 Total 80,800

APPRaised VALUE SUMMARY
 Total 80,800

APPRaised VALUE SUMMARY
 Total 80,800

APPRaised VALUE SUMMARY
 Total 80,800

APPRaised VALUE SUMMARY
 Total 80,800



GARDNER, MA

316

Permit ID	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments
BUILDING PERMIT RECORD								
Total Appraised Parcel Value 80,800								
VISIT / CHANGE HISTORY								
Date	ID	Type	Is	Cd	Purpose/Result			
09-01-2022	CK			22	Vacant Parcel			
10-20-2008	AO			00	Measur+Listed			
04-08-1981								

B	Use Code	Description	Zone	Land Type	Land Units	Unit Price	Size Adj.	Site Index	Cond.	Nbhnd.	Nbhnd. Adj	Notes	Special Use	Adj Unit Price	Land Value
1	4230	Elec Row	R2		43,560 SF	1.39	1.00000	A	0.75	C1	1,000		0	1.04	45,400
1	4230	Elec Row	R2		17,690 AC	4,000.00	1.00000	0	0.50		1,000		0	2,000	35,400
Total Card Land Units					18.69	AC									
Parcel Total Land Area:					18.69										
Total Land Value															80,800

CONSTRUCTION DETAIL

Element	Cd	Description	Element	Cd	Description
Style:	99	Vacant Land			
Model:	00				
Grade:					
Stories:					
Occupancy:					
Exterior Wall 1					
Exterior Wall 2					
Roof Structure:					
Roof Cover:					
Interior Wall 1					
Interior Wall 2					
Interior Flr 1					
Interior Flr 2					
Heat Fuel:					
Heat Type:					
AC Type:					
Total Bedrooms:					
Total Bathrms:					
Total Half Baths:					
Total Xtra Fixrs:					
Total Rooms:					
Bath Style:					
Kitchen Style:					

MIXED USE

Code	Description	Percentage
4230	Elec Row	100
		0
		0

COST / MARKET VALUATION

RCN	Year Built	Effective Year Built	Depreciation Code	Remodel Rating	Year Remodeled	Depreciation %	Functional Obsol	Economic Obsol	Trend Factor	Condition	Condition %	Percent Good	RCNLD	Dep % Ovr	Dep Ovr Comment	Misc Imp Ovr	Misc Imp Ovr Comment	Cost to Cure Ovr	Cost to Cure Ovr Comment

No Sketch

OB - OUTBUILDING & YARD ITEMS(L) /XF - BUILDING EXTRA FEATURES(B)

Code	Description	L/B	Units	Unit Price	Yr Bill	Cond. Cd	% Gd	Grade	Grade Adj.	Appr. Value

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
	Ttl Gross Liv / Lease Area	0	0	0		0



Worcester District Registry of Deeds - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 2/7/2023 3:28:21 PM

Doc#	Document Type	Town	Book/Page	File Date	Consideration
0					
Property-Street Address and/or Description					
Grantors					
Grantees					
References-Book/Pg Description Recorded Year					
Registered Land Certificate(s)-Cert# Book/Pg					

4384

9

See Plan
Book 273,
Plan 3

KNOW ALL MEN BY THESE PRESENTS

that Boston and Maine Railroad, a corporation duly established under the laws of the Commonwealth of Massachusetts, for ~~the sum of~~ ^{Seventy-five Hundred Dollars (\$7500.00)} ~~and other valuable considerations~~ paid and received, to it/by New England Power Company, a corporation duly organized under the laws of the Commonwealth of Massachusetts, the receipt whereof is hereby acknowledged, does hereby give, grant, bargain, sell and convey unto the said New England Power Company, its successors and assigns, all of its right, title and interest in and to four (4) certain pieces or parcels of land situated in Gardner, County of Worcester and Commonwealth of Massachusetts, bounded and described as follows:

Parcel #1: a certain piece or parcel in said Gardner being all of the land or location of the former Worcester Branch of said Boston and Maine Railroad lying between Park Street, so-called, on the South and Cemetery Road, so-called, on the North, said parcel containing about one and twenty-five hundredths (1.25) acres;

Parcel #2: a certain piece or parcel in said Gardner being all of the land or location of the former Worcester Branch of said Boston and Maine Railroad lying between said Cemetery Road, on the South, and Park Street or Park Street Relocation (Picnic Grounds Crossing) on the North, said parcel containing about eight and eighty-three hundredths (8.83) acres;

Parcel #3: a certain piece or parcel in said Gardner being all of the land or location of the former Worcester Branch of said Boston and Maine Railroad lying between Park Street or Park Street Relocation (Picnic Grounds Crossing, so-called) on the South and on the discontinued Park Street crossing on the North, said parcel containing about four and fifty-four hundredths (4.54) acres; and

Parcel #4, a certain piece or parcel in said Gardner being all of the land or location of the former Worcester Branch of said Boston and Maine Railroad lying between the discontinued Park Street crossing on the South and Winchendon Street, so-called, on the North, said parcel containing about eighteen and sixty-nine hundredths (18.69) acres;

all of said parcels being as shown upon a plan marked: "Boston and Maine Railroad Proposed Land Sale East of Heywood Station GARDNER, MASS. To New England Power Company J. F. Kerwin Ass't. Chief Eng'r Scale: - Graphic Feb. 1962", to be recorded, ~~and a copy of which is hereto attached~~ to which reference is hereby made for a further description of said premises.

By the acceptance of this deed the grantee hereby covenants and agrees for itself, its successors and assigns, to build and forever maintain a suitable fence along the boundaries of said parcel common to said parcel and remaining land of the grantor if a fence is required at any time hereafter. This covenant is to run with the land hereinabove described and to be binding upon the grantee, its successors and assigns, forever.

Parcel ID:

M37-20-10

Address:

No Formal Address

Owner:

New England Power (National Grid)

Other:

Wooded Lot

CURRENT OWNER
 NEW ENGLAND POWER
 C/O PROP TAX DEPT
 40 SYLVAN RD
 WALTHAM MA 02451-2286

TOPO
 GIS ID: M_159033_927414
 Assoc Pk#: 316
UTILITIES
STRT/ROAD
LOCATION
 Description: IND LAND
 Code: 4230
 Appraised: 52,500
 Assessed: 52,500

SUPPLEMENTAL DATA
 All Pct ID
 Sub-Div
 Photo
 Ward
 Prec.
VISION
 GARDNER, MA

RECORD OF OWNERSHIP
 BK-VOL/PAGE: 4384 0009
 SALE DATE: 07-09-1963
 QU: Q
 VI: V
 SALE PRICE: 7,500
 VC: 00

Year	Code	Assessed	Year	Code	Assessed	Year	Code	Assessed
2023	4230	52,500	2022	4230	46,600	2021	4230	46,600
Total		52,500	Total		52,500	Total		46,600

EXEMPTIONS
 Year: Code: Description: Amount: Code: Description: Number: Amount: Commit Int:

OTHER ASSESSMENTS
 Total: 0.00
ASSESSING NEIGHBORHOOD
 Nbhnd: 0001
 Nbhnd Name: B
 Tracing: Batch:

NOTES
 WITH M27/20/61, M27/15/29, M42/25/1
APPRAISED VALUE SUMMARY
 Appraised Bldg. Value (Card): 0
 Appraised X (B) Value (Bldg): 0
 Appraised Ob (B) Value (Bldg): 0
 Appraised Land Value (Bldg): 52,500
 Special Land Value: 0
 Total Appraised Parcel Value: 52,500

BUILDING PERMIT RECORD

Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments
	07-25-2022							
	10-20-2008							
	04-08-1981							

LAND LINE VALUATION SECTION

Use Code	Description	Zone	Land Type	Land Units	Unit Price	Size Adj.	Site Index	Cond.	Nbhnd.	Nbhnd. Adj.	Notes	Special Use	Adj Unit Pric	Land Value
4230	Elec Row	R2		43,560 SF	1.39	1.00000	A	0.75	C1	1.000		0	1.04	45,400
4230	Elec Row	000		3,540 AC	4,000.00	1.00000	0	0.50		1.000		0	2,000	7,100
Total Card Land Units: 4.54 AC														
Parcel Total Land Area: 4.54														
Total Land Value: 52,500														

VISIT/CHANGE HISTORY

Date	Id	Type	Is	Cd	Purpose/Result
07-25-2022	CK			22	Vacant Parcel
10-20-2008	PR				
04-08-1981					

Total Appraised Parcel Value: 52,500

CONSTRUCTION DETAIL

CONSTRUCTION DETAIL (CONTINUED)

Element: Cd
 Style: 99
 Model: 00
 Grade: Vacant Land
 Stories: Vacant

Occupancy: Vacant
 Exterior Wall 1
 Exterior Wall 2
 Roof Structure:
 Roof Cover:
 Interior Wall 1
 Interior Wall 2
 Interior Flr 1
 Interior Flr 2
 Heat Fuel:
 Heat Type:
 A/C Type:
 Total Bedrooms:
 Total Bathrooms:
 Total Half Baths:
 Total Xtra Fixtr:
 Total Rooms:
 Bath Style:
 Kitchen Style:

Code	Description	Percentage
4230	MIXED USE	100
	Elect Row	0
		0

COST/MARKET VALUATION	
RCN	0
Year Built	
Effective Year Built	0
Depreciation Code	0
Remodel Rating	
Year Remodeled	
Depreciation %	0
Functional Obsol	0
Economic Obsol	0
Trend Factor	1
Condition	
Condition %	0
Percent Good	0
RCNLD	0
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	

OB - OUTBUILDING & YARD ITEMS (A) / X - BUILDING EXTRA FEATURES (B)

Code	Description	UB	Units	Unit Price	Yr Bilt	Cond.	Cd	% Gd	Grade	Grade Adj	Appr. Value

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Elf Area	Unit Cost	Undeprec Value
	TU Gross Lvr / Lease Area	0	0	0		0

No Sketch



NEW ENGLAND POWER
 C/O PROP TAX DEPT
 40 SYLVAN RD
 WALTHAM MA 02451-2286
 GIS ID M_159333_928234
 Alt Prcd ID
 Sub-Div
 Photo
 Ward
 Prec.

RECORD OF OWNERSHIP
 NEW ENGLAND POWER
 BK-VOL/PAGE 4384 0009
 SALE DATE Q1 V1
 SALE PRICE VC
 Q V 7,500 00
 Year Code Assessed Year Code Assessed Year Code Assessed
 2023 4230 80,800 2022 4230 74,900 2021 4230 74,900
Total 80,800 **Total** 74,900 **Total** 74,900

UTILITIES
STRT/ROAD
LOCATION
 Description Code Appraised Assessed
 IND LAND 4230 80,800 80,800
Total 80,800

EXEMPTIONS
 Year Code Description Amount Code Description Number Amount
 Nbhd 0001 Nbhd Name B Tracing Batch
Total 0.00
ASSESSING NEIGHBORHOOD
NOTES
 WITH M27120/51,M2715/29,M37120/10

OTHER ASSESSMENTS
 Description Amount
Total 80,800
APPRaised VALUE SUMMARY
 Appraised Bldg. Value (Card) 0
 Appraised Xf (B) Value (Bldg) 0
 Appraised Ob (B) Value (Bldg) 0
 Appraised Land Value (Bldg) 80,800
 Special Land Value 0
Total Appraised Parcel Value 80,800

PREVIOUS ASSESSMENTS (HISTORY)
 Year Code Assessed Year Code Assessed Year Code Assessed
 2023 4230 80,800 2022 4230 74,900 2021 4230 74,900
Total 80,800 **Total** 74,900 **Total** 74,900

APPRaised VALUE SUMMARY
 Appraised Bldg. Value (Card) 0
 Appraised Xf (B) Value (Bldg) 0
 Appraised Ob (B) Value (Bldg) 0
 Appraised Land Value (Bldg) 80,800
 Special Land Value 0
Total Appraised Parcel Value 80,800

BUILDING PERMIT RECORD
 Permit ID Issue Date Type Description Amount Insp Date % Comp Date Comp Comments
 09-01-2022 CK
 10-20-2008 AO
 04-08-1981

VISIT/CHANGE HISTORY
 Date Id Type Is Cd Cd Purpose/Result
 09-01-2022 CK
 10-20-2008 AO
 04-08-1981

LAND LINE VALUATION SECTION
 Use Code Description Zone Land Type Land Units Unit Price Size Adj. Site Index Cond. Nbhd. Nbhd. Adj. Notes Special Use Adj Unit Pric Land Value
 1 4230 Elec Row R2 43,560 SF 1,39 1,00000 0 0.75 C1 1,000
 1 4230 Elec Row R2 17,690 AC 4,000,00 1,00000 0 0.50 1,000
Total Card Land Units 18.69 **AC** **Parcel Total Land Area:** 18.69 **Total Land Value** 80,800

VISION
 GARDNER, MA
 316

1080 CONSTRUCTION DETAIL CONSTRUCTION DETAIL (CONTINUED)

Element	Cd	Description	Element	Cd	Description
Style:	99	Vacant Land			
Model:	00				
Grade:					
Stories:					
Occupancy:					
Exterior Wall 1					
Exterior Wall 2					
Roof Structure:					
Roof Cover:					
Interior Wall 1					
Interior Wall 2					
Interior Flr 1					
Interior Flr 2					
Heat Fuel:					
Heat Type:					
AC Type:					
Total Bedrooms:					
Total Bathrms:					
Total Half Baths:					
Total Xtra Fixtrs:					
Total Rooms:					
Bath Style:					
Kitchen Style:					

MIXED USE		COST/MARKET VALUATION	
Code	Description	Percentage	
4230	Elec Row	100	
		0	
		0	
RCN			
		0	

Year Built		0
Effective Year Built		0
Depreciation Code		0
Remodel Rating		0
Year Remodeled		0
Depreciation %		0
Functional Obsol		0
Economic Obsol		0
Trend Factor		1
Condition		0
Condition %		0
Percent Good		0
RCNLD		0
Dep % Ovr		0
Dep Ovr Comment		
Misc Imp Ovr		
Misc Imp Ovr Comment		
Cost to Cure Ovr		
Cost to Cure Ovr Comment		

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)										
Code	Description	UB	Units	Unit Price	Yr Bilt	Cond. Cd	% Gd	Grade	Grade Adj.	Appr. Value
BUILDING SUB-AREA SUMMARY SECTION										
Code	Description									
	Living Area									
	Floor Area									
	Eff Area									
	Unit Cost									
	Undeprec Value									
TI Gross Liv / Lease Area										
										0

No Sketch



Worcester District Registry of Deeds - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 2/7/2023 2:26:48 PM

Doc#	Document Type	Town	Book/Page	File Date	Consideration
43846	DEED		04384/9	07/09/1963	7500.00
Property-Street Address and/or Description					
PARK ST, CEMETARY RD, WINCHENDON ST, SOUTH ST					
Grantors					
BOSTON & MAINE RAILROAD					
Grantees					
NEW ENGLAND POWER CO					
References-Book/Pg Description Recorded Year					
49801/181 REL 2012					
Registered Land Certificate(s)-Cert# Book/Pg					

4384

9

See Plan
Book 273,
Plan 3

KNOW ALL MEN BY THESE PRESENTS

that Boston and Maine Railroad, a corporation duly established under the laws of the Commonwealth of Massachusetts, for ~~the sum of~~ ^{Seventy-five Hundred Dollars (\$7500.00)} ~~and other valuable consideration~~ paid and received, to ~~it~~ ^{by} New England Power Company, a corporation duly organized under the laws of the Commonwealth of Massachusetts, the receipt whereof is hereby acknowledged, does hereby give, grant, bargain, sell and convey unto the said New England Power Company, its successors and assigns, all of its right, title and interest in and to four (4) certain pieces or parcels of land situated in Gardner, County of Worcester and Commonwealth of Massachusetts, bounded and described as follows:

Parcel #1: a certain piece or parcel in said Gardner being all of the land or location of the former Worcester Branch of said Boston and Maine Railroad lying between Park Street, so-called, on the South and Cemetery Road, so-called, on the North, said parcel containing about one and twenty-five hundredths (1.25) acres;

Parcel #2: a certain piece or parcel in said Gardner being all of the land or location of the former Worcester Branch of said Boston and Maine Railroad lying between said Cemetery Road, on the South, and Park Street or Park Street Relocation (Picnic Grounds Crossing) on the North, said parcel containing about eight and eighty-three hundredths (8.83) acres;

Parcel #3: a certain piece or parcel in said Gardner being all of the land or location of the former Worcester Branch of said Boston and Maine Railroad lying between Park Street or Park Street Relocation (Picnic Grounds Crossing, so-called) on the South and on the discontinued Park Street crossing on the North, said parcel containing about four and fifty-four hundredths (4.54) acres; and

Parcel #4. a certain piece or parcel in said Gardner being all of the land or location of the former Worcester Branch of said Boston and Maine Railroad lying between the discontinued Park Street crossing on the South and Winchendon Street, so-called, on the North, said parcel containing about eighteen and sixty-nine hundredths (18.69) acres;

all of said parcels being as shown upon a plan marked: "Boston and Maine Railroad Proposed Land Sale East of Heywood Station GARDNER, MASS. To New England Power Company J. F. Kerwin Ass't. Chief Eng'r Scale: - Graphic Feb. 1962", to be recorded, ~~and copies of which are attached~~ to which reference is hereby made for a further description of said premises.

By the acceptance of this deed the grantee hereby covenants and agrees for itself, its successors and assigns, to build and forever maintain a suitable fence along the boundaries of said parcel common to said parcel and remaining land of the grantor if a fence is required at any time hereafter. This covenant is to run with the land hereinabove described and to be binding upon the grantee, its successors and assigns, forever.

4364

10

2.



Excepting from this conveyance any and all tracks and track materials located within the limits of the above described parcels. Said conveyance is hereby made subject to the right of the grantor, its successors and assigns, to maintain said sections of tracks and track material in their present location and to operate locomotives and cars thereon; and further, subject to the right of the grantor, its successors and assigns, to enter upon the said above described parcels from time to time and at any and all reasonable times in order to inspect, repair, relay, renew, maintain and remove said tracks and track material. When the tracks are removed, this right will cease.

TO HAVE AND TO HOLD the above described premises with all the privileges and appurtenances thereto belonging, to the said New England Power Company, its successors and assigns, to their own use and behoof forever.

IN WITNESS WHEREOF the said Boston and Maine Railroad has caused these presents to be executed and its corporate seal to be hereto affixed by G. F. Glacy, a Vice President, thereunto duly authorized, this *11th* day of *April*, in the year one thousand nine hundred and sixty-three.

BOSTON AND MAINE RAILROAD,

By *G. F. Glacy*
Vice President.

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

Boston, *April 11*, 1963.

Then personally appeared the above named G. F. Glacy, a Vice President of said Boston and Maine Railroad, and acknowledged the foregoing instrument to be the free act and deed of said Boston and Maine Railroad,

before me

Gertrude E. Cryan

Notary Public

My Commission expires *Aug. 30, 1963*

At a Meeting of the Board of Directors of BOSTON AND MAINE RAILROAD,
duly called, notified and held on June 13, 1962, a quorum being present,
the following action was taken:

"VOTED: to enter into an agreement, the terms of which are to be satisfac-
tory to the President or any Vice President of this Company, for the sale by this Company
to Massachusetts Electric Company (New England Power Company) or nominee, of four (4)
parcels of land at Gardner, Massachusetts, for a consideration of \$7,500.00 and

respective acres,
containing ~~an~~ areas of about 1.25 acres, 8.83 acres, 4.54 acres and 18.69/ subject to
more accurate computation and survey approved by the President or any Vice President
of this Company; and the President, or any Vice President of this Company be and he
hereby is authorized, in its name and behalf, to execute and deliver such agreement; and further

"VOTED: that the President, or any Vice President of this Company, be and
he hereby is authorized in its name and behalf, to execute, acknowledge and deliver a
deed of said premises when said further computation and survey have been completed
and the signature of such officer on such deed shall be conclusive evidence of his
approval of such computation and survey."

I, Maynard W. Bullis, Clerk of said Boston and Maine
Railroad, do hereby certify that New England Power Company,

the grantee in the deed to which this certificate is attached, is the party
who has been nominated ~~by~~

to accept such deed; and I further certify that the above mentioned
computation and survey have been completed and that the premises described as conveyed
by said deed are the same premises authorized to be conveyed in the vote of said Board
of Directors hereinabove set forth.

Attest:

Maynard W. Bullis
Clerk.

Parcel ID:

M42-25-03

Address:

834 Green St

Owner:

Donald Lajoie

Other:

Current use would be grandfathered in the event of a zoning change

Property Location 834 GREEN ST
Vision ID 4592

Map ID M42/ 25/ 3/ /
Account #

Bldg Name
Sec # 1 of 1

Card # 1 of 1
State Use 1010
Print Date 1/5/2023 7:49:52 PM

834 GREEN ST
GARDNER MA 01440

CURRENT OWNER		TOPO		UTILITIES		START / ROAD		LOCATION		CURRENT ASSESSMENT		316			
LAJOIE DONALD T JR	1 Level	5 Well	1 Paved	2 Suburban	Code	Appraised	Assessed	Code	Year	Code	Assessed	Code	Assessed		
		6 Septic			1010	157,300	157,300	1010	2021	1010	139,300	1010	124,300		
					1010	73,200	73,200	1010	2021	1010	62,400	1010	58,000		
					1010	24,300	24,300	1010	2021	1010	18,700	1010	18,700		
SUPPLEMENTAL DATA															
All Pct ID															
Sub-Div															
Photo															
Ward															
Prec.															
GIS ID M_159544_928388 Assoc Pct#															
RECORD OF OWNERSHIP															
BK-VOL/PAGE		SALE DATE		QU		VII		SALE PRICE		VC		Total			
42488	0182	02-29-2008	U	1	1A	157,300	2022	1010	1010	139,300	2021	1010	124,300		
38986	0328	05-18-2006	U	1	1A	73,200	2022	1010	1010	62,400	2021	1010	58,000		
26253	0318	03-28-2002	U	1	1A	24,300	2022	1010	1010	18,700	2021	1010	18,700		
25204	0382	11-07-2001	U	1	1A										
24056	0246	05-21-2001	U	1	1A										
OTHER ASSESSMENTS															
Year		Code		Description		Number		Amount		Comm Int		Total			
												254,800			
EXEMPTIONS															
Year		Code		Description		Number		Amount		Comm Int		Total			
												220,400			
PREVIOUS ASSESSMENTS (HISTORY)															
This signature acknowledges a visit by a Data Collector or Assessor															
APPRAISED VALUE SUMMARY															
Appraised Bldg. Value (Card) 157,300															
Appraised Xf (B) Value (Bldg) 0															
Appraised Ob (B) Value (Bldg) 24,300															
Appraised Land Value (Bldg) 73,200															
Special Land Value 0															
Total Appraised Parcel Value 254,800															
BUILDING PERMIT RECORD															
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Dale Comp	Comments	Date	Id	Type	Is	Cd	Purpos/Result	
12-541	04-12-2012			3,200	02-06-2013	100	02-06-2013	LAYOVER ONE LAYER ROOF	08-21-2018	JG	DH	00	00	Measur+Listed	
									05-31-2016	DH	PH	02	00	Measur+Listed	
									02-06-2013	PH	NC	01	00	Building Permit DB	
									10-27-2010	VA	VA	01	00	Measur+Listed	
									10-12-2010	DK	DK	02	01	Callback Letter Mailed	
									07-12-2010	DK	DK	02	01	Measur+1 Visit - Info Car	
									07-12-2010	DK	DK	02	02	Measur+2 Visit - Info Car	
LAND LINE VALUATION SECTION															
B	Use Code	Description	Zone	Land Type	Land Units	Unit Price	Size Adj.	Site Index	Cond.	Nbhd	Nbhd Adj	Notes	Special Use	Adj Unit Pric	Land Value
1	1010	Single Fam MDL	R2		60,000 SF	1,300	0.75000	4	0.75	1,000	1,000	TOPO		0	43,600
1	1010	Single Fam MDL	R2		0 FF	0.00	1.00000	0	0.50	1,000	1,000	TOPO		0	0
1	1010	Single Fam MDL	R2		16,120 AC	4,000.00	1.00000	0	0.50	1,000	1,000	WET		0	29,300
Total Card Land Units 17.50 AC															
Parcel Total Land Area: 17.50															
Total Land Value 73,200															

VISION

CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)	
Element	Description	Element	Description
06	Conventional		
01	Residential		
03	Average		
1.5	1 1/2 Stories		
1	Occupancy		
25	Vinyl Siding		
03	Exterior Wall 1		
03	Exterior Wall 2		
03	Roof Structure:		
03	Roof Cover		
03	Interior Wall 1		
12	Interior Wall 2		
02	Interior Fir 1		
02	Interior Fir 2		
05	Heat Fuel		
01	Heat Type:		
01	AC Type:		
04	Total Bedrooms		
0	Total Half Baths		
7	Total Xtra Fixtrs		
02	Total Rooms:		
02	Bath Style:		
02	Kitchen Style:		

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)										
Code	Description	L/B	Units	Unit Price	Yr Bilt	Cond. Cd	% Gd	Grade	Grade Adj	Appr. Value
BRN4	Barn Lfr/Bsmt	L	480	27.00	1952	25	10	0.00	0.00	3,200
SHD1	Shed - A	L	432	18.00	1952	10	10	0.00	0.00	800
SPL4	Pool/AG Rnd	L	24	195.00	2000	50	75	0.00	0.00	2,300
BRN3	Barn 1 St w LI	L	960	25.00	2005	75		0.00	0.00	18,000

BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Floor Area	Eft Area	Unit Cost	Undeprc Value
BAS	First Floor	840	840	840	174.81	146,840
FEP	Porch, Enclosed, Finished	0	72	50	121.40	8,741
FHS	Half Story, Finished	452	696	452	113.53	79,014
FOP	Porch, Open, Finished	0	18	4	38.85	699
UBM	Basement, Unfinished	0	696	139	34.91	24,299
WDK	Deck, Wood	0	394	38	17.30	6,643
					1,292	2,706
111 Gross Liv / Lease Area					1,523	5,000.00
						266,236

16	WDK	24
6	BAS	24
12	FEP	24
6	FOP	24
2	FHS	29
6	UBM	29
24		24



Worcester District Registry of Deeds - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 2/7/2023 2:20:54 PM

Doc#	Document Type	Town	Book/Page	File Date	Consideration
21368	DEED		42488/182	02/29/2008	1.00
Property-Street Address and/or Description					
834 GREEN ST					
Grantors					
LAJOIE DONALD T JR, LAJOIE DONALD T, JOHNSON RHONDA C					
Grantees					
LAJOIE DONALD T JR					
References-Book/Pg Description Recorded Year					
Registered Land Certificate(s)-Cert# Book/Pg					



Bk: 42488 Pg: 182
Page: 1 of 2 02/29/2008 02:20 PM

Deed

We, Donald T. Lajoie, Jr. a/k/a Donald T. Lajoie and Rhonda C. Johnson,
of Gardner, Worcester County, Massachusetts,
for consideration paid, and in full consideration of

Less Than One Dollar
(\$1.00)

Grant to

Donald T. Lajoie, Jr., individually, of 834 Green St., Gardner, Worcester County,
Massachusetts

With Quitclaim Covenants

A certain tract of land with the buildings thereon, situated in the northerly part of Gardner, it being a part of the John Eaton Farm, so-called, and being bounded and described as follows:

BEGINNING at a stake and stones at a corner of land now or formerly of Frank S. Learned and on the southerly side of the road leading from Gardner to Winchendon;

THENCE by said road North 33° West, 49 rods and 2 links to a wall;

THENCE South 15° West, 75 rods and 18 links to a stake and stones in the end of the wall;

THENCE by land now or formerly of Charles Eaton South 74 1/4° East, 55 rods and 12 links to a stake and stones;

THENCE again by said Eaton land North 15 3/4° East, 3 rods and 3 links to a stake and stones at corner of land now or formerly of Frank S. Learned;

THENCE by said Learned land North 40 3/4° West, 33 rods and 21 links to a stake and stones;

THENCE again by said Learned land North 39 1/4° East, 23 rods and 13 links to the place of beginning.

Containing 14 acres, more or less.

ALSO another tract of land lying in the northerly part of Gardner, it being also part of the John Eaton Farm, so called, and being bounded and described as follows:

BEGINNING at a stone monument on land of Charles Eaton and on the southerly side of the road leading from Gardner to Winchendon;

Property: 834 Green Street, Gardner, Massachusetts

zk

THENCE by the southerly line of said road North 33° West, 25 rods and 19 links to a stake and stones;

THENCE South 39 1/2° West, 23 rods and 13 links to a stake and stones;

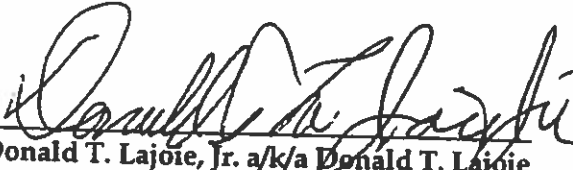
THENCE South 40 3/4° East, 33 rods and 21 links to a stake and stones on the line of the aforesaid Eaton land;

THENCE by said Eaton land North 15 3/4°, 22 rods and 14 links to the place of beginning.

EXCEPTING from the above described premises so much thereof as has been taken for highway purposes under two instruments of taking, recorded on October 30, 1936 and February 3, 1939 in Book 2679, Page 584 and Book 2739, Page 13 respectively and a highway taking by the Commonwealth of Massachusetts dated May 10, 1972 and recorded with Worcester District Registry of Deeds at Book 5222, Page 477.

Being the same premises conveyed to Grantors by deed from Donald T. Lajoie, Jr. a/k/a Donald T. Lajoie dated May 11, 2006 recorded with said Deeds at Book 38986, Page 328.

Witness our hands and seals this 25th day of February 2008.


Donald T. Lajoie, Jr. a/k/a Donald T. Lajoie

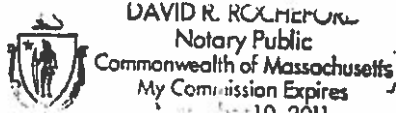

Rhonda C. Johnson

Commonwealth of Massachusetts

Worcester, ss

On this 25 day of February 2008 before me, the undersigned notary public, personally appeared Donald J. Lajoie, Jr. a/k/a Donald T. Lajoie and Rhonda C. Johnson, proved to me through satisfactory evidence of identification, which were MA DE U.C., the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.


Notary Public
My Commission Exp:



ATTEST: WORC. Anthony J. Vigliotti, Register

Parcel ID:

R37-16-27

Address:

131 Eaton St

Owner:

City of Gardner

Other:

Municipal Driving Range and Wooded lot

CURRENT OWNER		TOPO	UTILITIES	STRT/ROAD	LOCATION	Code	Appraised	Assessed
CITY OF GARDNER	GOLF COURSE					9300	214,600	206,800
	95 PLEASANT ST STE 125					9300	32,900	32,700
GARDNER	MA 01440							
GARDNER, MA								
VISION								

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	QU	VI	SALE PRICE	VC	Total
CITY OF GARDNER		14013 0338	03-04-1992	U	V	218,208	1E	247,500

EXEMPTIONS		Code	Description	Number	Amount	Comm Int
Year	Code					
2023	9300					
	9300					
Total					247,500	

ASSESSING NEIGHBORHOOD		Nbhd Name	Batch
		B	Tracing

BUILDING PERMIT RECORD		Amount	Insp Date	% Comp	Date Comp	Comments
Permit Id	Issue Date					
10-405	03-19-2010			100		

LAND LINE VALUATION SECTION		Zone	Description	Land Type	Land Units	Unit Price	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes
B	Use Code	R2	City of Gardner V	R2	43,560 SF	1.39	1.00000	A	1.00	C1	1.000	
		R2	City of Gardner V	R2	65,000 AC	4,000.00	1.00000	0	0.75		1.000	AD EASE
Total Card Land Units					66,000 AC							
Parcel Total Land Area:					66.00							

APPRAISED VALUE SUMMARY

Appraised Bldg Value (Card)	0
Appraised X1 (B) Value (Bldg)	0
Appraised Ob (B) Value (Bldg)	32,900
Appraised Land Value (Bldg)	214,600
Special Land Value	0
Total Appraised Parcel Value	247,500

VISIT / CHANGE HISTORY

Date	Id	Type	Is	Cd	Purposi/Result
07-28-2022	CK			22	Vacant Parcel
09-08-2010	WH			00	Measur+Listed
04-28-1992	DC				

Year	Code	Assessed	Year	Code	Assessed	Year	Code	Assessed
2023	9300	214,600	2022	9300	206,800	2021	9300	206,800
	9300	32,900		9300	32,700		9300	32,700
Total		247,500	Total		239,500	Total		239,500

(This signature acknowledges a visit by a Data Collector or Assessor)

Property Location
Vision ID 4579

Map ID R371 16/ 271 / 1

Account #

131 EATON ST

Blkg Name
Sec # 1 of 1

Card # 1 of 1

State Use 9300

Print Date 1/5/2023 7:48:17 PM

CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)									
Element	Cd	Description	Element								
Style: Model Grade: Stories: Occupancy Exterior Wall 1 Exterior Wall 2 Roof Structure: Roof Cover Interior Wall 1 Interior Wall 2 Interior Fir 1 Interior Fir 2 Heat Fuel Heat Type: AC Type: Total Bedrooms Total Bthrms: Total Half Baths Total Xtra Fixtrs Total Rooms: Bath Style: Kitchen Style:	94 00	Outbuildings Vacant									
MIXED USE											
Code	9300	City of Gardner V	Percentage 100 0 0								
COST / MARKET VALUATION											
RCN			0								
Year Built			0								
Effective Year Built			0								
Depreciation Code			0								
Remodel Rating											
Year Remodeled											
Depreciation %			0								
Functional Obsol			0								
Economic Obsol			1								
Trend Factor			0								
Condition			0								
Condition %			0								
Percent Good			0								
RCNLD			0								
Dep % Ovr											
Dep Ovr Comment											
Misc Imp Ovr											
Misc Imp Ovr Comment											
Cost to Cure Ovr											
Cost to Cure Ovr Comment											
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)											
Code	Description	L/B	Units	Unit Price	Yr Bilt	Cond.	Cd	% Gd	Grade	Grade Adj	Appr. Value
MSC2	DRIVING RAN	L	1	22000.00	1996			100		0.00	22,000
SHD2	Shed - G	L	192	20.00	1996			50		0.00	1,900
PAV1	Paving Aspha	L	10,000	1.80	1996			50		0.00	9,000
BUILDING SUB-AREA SUMMARY SECTION											
Code	Description	Living Area	Floor Area	Elif Area	Unit Cost	Undeprac Value					
		0	0	0	0	0					
	TD Gross Liv / Lease Area	0	0	0	0	0					

No Sketch



Worcester District Registry of Deeds - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 2/7/2023 2:23:51 PM

Doc#	Document Type	Town	Book/Page	File Date	Consideration
24284	DEED		14013/338	03/04/1992	218208.00
Property-Street Address and/or Description					
EATON ST & GREEN ST-RTE 140					
Grantors					
DENMAN JOHN W, DENMAN GEORGIA O					
Grantees					
GARDNER CITY OF					
References-Book/Pg Description Recorded Year					
Registered Land Certificate(s)-Cert# Book/Pg					

WE, JOHN W. DENMAN and GEORGIA O. DENMAN, both
of Saint Ansgar, Iowa

County: Massachusetts

being purchased, for consideration paid, and in full consideration of TWO HUNDRED EIGHTEEN
THOUSAND TWO HUNDRED EIGHT and 22/100THS (\$218,208.22)-----

grant to CITY OF GARDNER, a municipal corporation,
95 Pleasant Street

X

of Gardner, Massachusetts 01440

with quitclaim covenants

thereunto:

[Description and encumbrances, if any]

A certain parcel of land situated on the northerly side of
Eaton Street and the westerly side of Green Street, Route 140, in
the northerly part of Gardner, Worcester County, Massachusetts,
bounded and described as follows:

Beginning at the most northerly corner thereof at a point in
the westerly line of Green Street, Route 140, at a corner of land
of Donald T. Lajoie;

Thence S. 46 11' 30" E., about 200 feet to a point of
curvature;

Thence SOUTHERLY, by a curve to the right having a radius of
1962.20 feet, a distance of 1449.43 feet to a point of tangency;

Thence S. 3 52' 08" E., 742.80 feet to a point of curvature;

Thence SOUTHERLY, by a curve to the left having a radius of
5789.58 feet, a distance of about 115 feet to a point in the
westerly line of the former (1939), layout of Green Street, the
preceding four courses being by the present line of Green Street,
Route 140, as laid out in 1972 under taking recorded with Worcester
District Registry of Deeds, Book 5222, Page 477, Plan Book 364,
Plan 16, on a "true" datum, whereas the remaining courses herein
are on a "magnetic" datum;

Thence S. 19 21' W., by the "old" line of Green Street, under
taking recorded with said Deeds, Book 2739, Page 13, Plan Book 107,
Plan 36, about 55 feet to the beginning of a curve that rounds the
northwesterly intersection of the westerly line of Green Street and
the northerly line of Eaton Street;

Thence SOUTHERLY, SOUTHWESTERLY, and WESTERLY by a curve to
the right having a radius of 45.28 feet, a distance of 70.14 feet
to a point of tangency in the northerly line of Eaton Street;

Thence WESTERLY, by the northerly line of Eaton Street, about
1263 feet to a stone wall at land of Albert P. and Laura E.
Zlotnik;

Thence N. 16 03' E., about 391 feet;

Thence N. 81 27' W., 537.8 feet to a corner of stone walls,
the preceding two courses being by a stone wall and by said Zlotnik
land;

Thence N. 19 09' E., partly by a stone wall, by said Zlotnik
land and land of the New England Power Company, 1584.3 feet to a
corner of land of the aforementioned Donald T. Lajoie;

Thence S. 71 23' E. 919 feet;

Thence N. 18 53' E., about 400 feet to the point of beginning
in the westerly line of Green Street, the preceding two courses
being by said Lajoie land.

The about described premises are conveyed subject to easements
as set forth in the following instruments if and to the extent that
the same are still in force and effect, and not intending to
reimpose the same.

Charles Eaton and Sarah M. Eaton to the Connecticut River
Power Co. dated January 3, 1908 and recorded in Worcester District
Registry of Deeds, Book 1883, Page 304;

Charles Eaton and Sarah M. Eaton to Connecticut River
Transmission Co. dated May 3, 1909 and recorded in Book 1904, Page
199;

George A. Keyworth and Sarah E. Keyworth to New England Power
Co. dated February 11, 1930 and recorded in Book 2515, Page 377;

George Keyworth and Sarah E. Keyworth to New England Power Co.
dated September 5, 1919 and recorded in Book 2193, Page 77;

To New England Power Company recorded in Book 2799, Page 345,
and drainage and slope easements in connection with the
construction and relocation of Green Street, Route 140, under said
taking recorded in Book 5222, Page 477 (Denman).

File # 3 50 PM '92

PROPERTY ADDRESS:-
Eaton Street
Gardner, Massachusetts

BOOK 14013 PAGE 339

Herbert E. Brooks et ux to New England Tel. and Tel. Company and Massachusetts Electric Company dated May 1, 1964 and recorded in Book 4638, Page 160.

Excepting from the above described premises the following parcel of land, with the buildings thereon, situated on the northerly side of Eaton Street and the westerly side of Green Street in Gardner, Worcester County, Massachusetts, bounded and described as follows:

Beginning at the northeasterly corner thereof, at a point in the westerly line of Green Street, at a corner of other land of John W. & Georgia O. Denman, said point being located S 3-52'08"E along said street, line a distance of 300.00 feet from a granite bound at a point of curvature in said street line; thence S 03-52'-08"E. 442.80 feet to a granite bound at a point of curvature; thence southerly by a curve to the left, having a radius of 5789.58 feet, an arc length of 114.72 feet to a point that is not tangent; S 2-08'43"W, 55.97 feet to a point of curvature of a curve that rounds the northwesterly intersection of the westerly line of Green Street with the northerly line of Eaton Street, the preceding three courses being by the said line of Green Street; thence southwestwardly and westerly, by said intersection, by a curve to the right having a radius of 45.28 feet, an arc length of 70.14 feet to a point of tangency in the northerly line of Eaton Street; thence N 89-06'17"W, 203.39 feet to a granite bound; thence N 89-52'01"W, 331.07 feet to a point on a stone wall; thence N 78-44'16"W, 43.16 feet; thence N 73-26'02"W, 31.37 feet to a drill hole at a corner of stone walls at other land of the first mentioned John W. & Georgia O. Denman, the preceding two courses being by a stone wall and the preceding four courses being by the said line of Eaton Street; thence N 2-29'51"W, 392.61 feet; thence N 6-34'40"W, 117.87 feet; thence N 17-18'36"W, 36.79 feet, the preceding three courses being by a stone wall; thence N 82-12'59"E, 663.80 feet to a point in the westerly line of Green Street and the point of beginning, the preceding four courses being by said Denman land. Containing 9.113 acres.

Subject, however to a Slope & Drain Easement, known as "Parcel 7-DS-3" according to the 1972 State Highway Layout No. 6004, for Green Street. Said Easement is situated at the northeasterly corner of the above described premises.

Being shown on a plan entitled: "Plan of Land of John W. & Georgia O. Denman in Gardner, (Worcester County), Massachusetts, Scale: 1 inch = 60 feet--February 26, 1992, Szoc Surveyors, 32 Pleasant St., Gardner, MA-01440-" to be recorded herewith**

Meaning and intending to convey a portion of the premises described in a deed from Stephan A. Brooks, Executor, to grantors, dated December 18, 1981, and recorded in the Worcester District Registry of Deeds in Book 7286, Page 129.

*and Parcel 7-D-1-C

**in Plan Book 656, Plan 110.

REC-14013 PAGE 340

Witness . . . hand s and seal is this 29th day of February 19 92

John W. Denman
JOHN W. DENMAN
Georgia O. Denman
Georgia O. Denman

1992
FEB 29 1992
10 10 AM
STATE OF IOWA

STATE OF IOWA
~~Notary Public - State of Iowa~~

CLARKE ss. February 29, 19 92

Then personally appeared the above named John W. Denman and Georgia O. Denman

and acknowledged the foregoing instrument to be their free act and deed, before me

Laura C. Schultz
Notary Public - State of Iowa

My commission expires 12-9-94



CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 497 OF 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantee and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or remaining thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.

ATTEST: WORC., Anthony J. Vigliotti, Register

Parcel ID:

M37-01-02

Address:

No Formal Address

Owner:

GAAMHA, Inc.

Other:

Current use protected under the Dover
Amendment, MGL c.40A, §3- Exempt from
Zoning

CURRENT ASSESSMENT
 Code 9510 Appraised 4,600 Assessed 4,600
 Description EXM LAND
 316
 GARDNER, MA
VISION

RECORD OF OWNERSHIP

GIS ID	M_159678_928472	Assoc Pld#
GAAMHA INC	66317 109	10-18-2021
LEBLANC THOMAS R.	66315 188	10-18-2021
ROSEBLATT DEBORAH M	52256 0217	04-28-2014
LEBLANC NOELLA M	50612 0069	03-20-2013
LEBLANC LEONARD J & NOELLA M	11675 0044	10-12-1988

EXEMPTIONS

Year	Code	Description	Amount	Code	Description	Number	Amount	Comm Int
TOTAL								

ASSESSING NEIGHBORHOOD

Nbhd	0001	Nbhd Name	B	Tracing	Batch
TOTAL					

OTHER ASSESSMENTS

Year	Code	Description	Number	Amount
2023	9510			
2022	1320			
2021	3500			
2020	1320			
TOTAL				

APPRaised VALUE SUMMARY

Appraised Bldg. Value (Card)	0
Appraised Xf (B) Value (Bldg)	0
Appraised Ob (B) Value (Bldg)	0
Appraised Land Value (Bldg)	4,600
Special Land Value	0
Total Appraised Parcel Value	4,600

BUILDING PERMIT RECORD

Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments

LAND LINE VALUATION SECTION

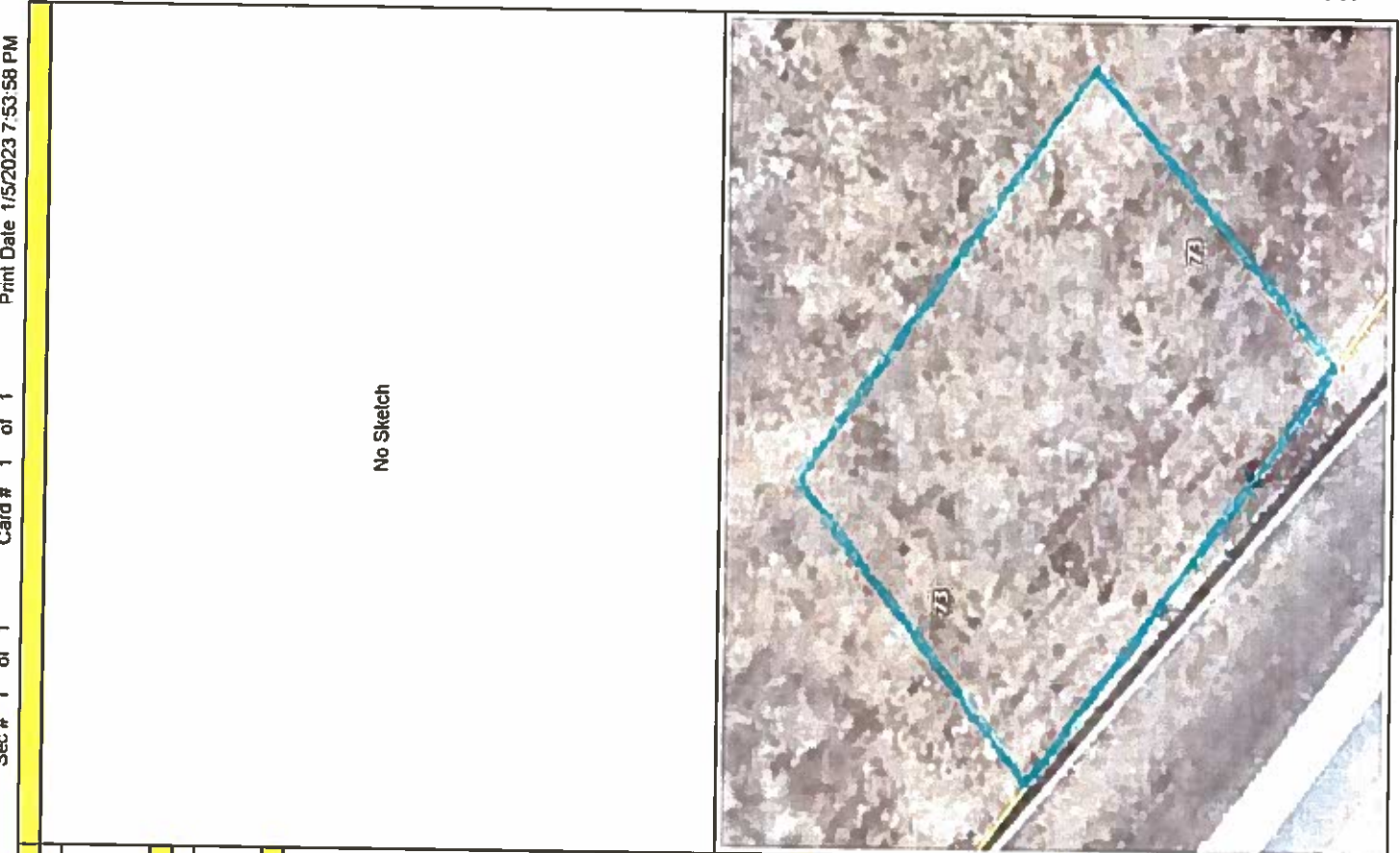
B Use Code	Description	Zone	Land Type	Land Units	Unit Price	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes
1	Char Other V	R2		10,000 SF	5.14	0.75000	4	0.10		1.000	
TOTAL CARD LAND UNITS 0.23 AC											
Parcel Total Land Area 0.23											

VISIT / CHANGE HISTORY

Date	id	Type	Is	Cd	Purpose/Result
08-10-2022	CK			22	Vacant Parcel
08-19-1981	11			20	MLS Listing

APPRaised VALUE SUMMARY

Appraised Bldg. Value (Card)	0
Appraised Xf (B) Value (Bldg)	0
Appraised Ob (B) Value (Bldg)	0
Appraised Land Value (Bldg)	4,600
Special Land Value	0
Total Appraised Parcel Value	4,600



No Sketch

CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)									
Element	Description	Element	Description								
99	Vacant Land										
00	Vacant										
Style:		MIXED USE									
Model:		Description									
Grade:		Percentage									
Occupancy:		100									
Exterior Wall 1		0									
Exterior Wall 2		0									
Roof Structure:		0									
Roof Cover:		0									
Interior Wall 1		0									
Interior Wall 2		0									
Interior Fir 1		0									
Interior Fir 2		0									
Heat Fuel:		0									
Heat Type:		0									
AC Type:		0									
Total Bedrooms:		0									
Total Blthms:		0									
Total Half Baths:		0									
Total Xtra Fixtrs:		0									
Total Rooms:		1									
Bath Style:		0									
Kitchen Style:		0									
Year Built:		0									
Effective Year Built:		0									
Depreciation Code:		0									
Remodel Rating:		0									
Year Remodeled:		0									
Deprecation %:		0									
Functional Obsol:		0									
Economic Obsol:		0									
Trend Factor:		1									
Condition %:		0									
Percent Good:		0									
RCNLD:		0									
Dep % Ovr:		0									
Dep Ovr Comment:											
Misc Imp Ovr:											
Misc Imp Ovr Comment:											
Cost to Cure Ovr:											
Cost to Cure Ovr Comment:											
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)											
Code	Description	L/B	Units	Unit Price	Yr Bilt	Cond.	Cd	% Gd	Grade	Grade Adj	Appr. Value
BUILDING SUB-AREA SUMMARY SECTION											
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value					
II Gross Liv / Lease Area		0	0	0	0	0					

Worcester District Registry of Deeds - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 2/7/2023 2:37:43 PM

Doc#	Document Type	Town	Book/Page	File Date	Consideration
146123	DEED		66317/109	10/18/2021	100.00
Property-Street Address and/or Description					
WINCHENDON RD					
Grantors					
LEBLANC THOMAS R, ROSENBLATT DEBORAH M, MCAVOY JOANN M, LEBLANC STEVEN J, MCAVOY ROBERT, LEBLANC LINDA					
Grantees					
GAAMHA INC					
References-Book/Pg Description Recorded Year					
66315/188 DEED 2021					
Registered Land Certificate(s)-Cert# Book/Pg					

Worcester South District Registry of Deeds Electronically Recorded Document

This is the first page of the document – Do not remove

Recording Information

Document Number	: 146123
Document Type	: DEED
Recorded Date	: October 18, 2021
Recorded Time	: 02:07:25 PM
Recorded Book and Page	: 66317 / 109
Number of Pages(including cover sheet)	: 8
Receipt Number	: 1388460
Recording Fee (including excise)	: \$155.00

 MASSACHUSETTS EXCISE TAX
 Worcester District ROD #20 001
 Date: 10/18/2021 02:07 PM
 Ctrl# Doc# 00146123
 Fee: \$.00 Cons: \$100.00

Worcester South District Registry of Deeds
 Kathryn A. Toomey, Register
 90 Front St
 Worcester, MA 01608
 (508) 798-7717

QUITCLAIM DEED

We Thomas R. LeBlanc, being unmarried, of 339 Salisbury Street, Worcester, MA, 01609, Deborah M. Rosenblatt, being unmarried, 125 Cocassett Street, Unit A, Foxboro, MA, 02035, Joann M. McAvoy, being a married person, of 125 Cocassett Street, Unit B, Foxboro, MA, 02035, and Steven J. LeBlanc, being a married person, of 42 Renee Drive, Felton, DE 19943, Grantors

for consideration paid of LESS THAN ONE HUNDRED and 00/100 (\$100.00) DOLLARS, grant to

GAAMHA, Inc., a Massachusetts not for profit corporation, in good standing, with a mailing address of 208 Coleman Street, Gardner, MA, 01440, Grantee

with quitclaim covenants

A certain tract of land situated on the easterly side of the Winchendon Road in said Gardner, Worcester County, Massachusetts, bounded and described as follows:

COMMENCING at an iron pipe 100 feet northwesterly from a stone bound at land of the City of Gardner;

THENCE northwesterly by the easterly line of said highway, 100 feet to an iron pipe;

THENCE at an included angle of 90° northeasterly by other land now or formerly of GAAMHA, Inc., 100 feet to an iron pipe;

THENCE at an included angle of 90° southeasterly 100 feet to an iron pipe;

THENCE at an included angle of 90° southwesterly 100 feet to the place of beginning, the last two courses being by land now or formerly of Francis R. Cosentino.

Excepting from the foregoing premises, however, so much thereof as may have been taken for highway purposes.

Easterly Side of Winchendon Road, Gardner, MA 01440

Grantor(s) hereby releases any and all homestead rights to the premises and certify under the pains and penalties of perjury that there are no other persons entitled to protection of the Homestead Act. The Grantor(s), further state, pursuant to M.G.L. c. 188, § 13, under oath and subject to the pains and penalties of perjury, do hereby depose, state and certify that: (i) that no spouse, non-owner spouse, former spouse, or any other person resides at the home, is entitled to claim the benefit of an existing estate of homestead; and (ii) at the time of delivery of this deed, no spouse, former spouse, or any other person is entitled to claim the benefit of an existing estate of homestead.

The preparer of this Deed has not conducted a title search.

Being the same premises conveyed to us by Deed of Deborah M. Rosenblatt, Trustee under the Last Will and Testament of Noella M. LeBlanc, Docket No. WO132966EA, dated August, 23, 2021, recorded in the Worcester South District Registry of Deeds in Book 66315, Page 188.

THE REMAINDER OF THIS PAGE IS BLANK

SIGNATURES TO FOLLOW

Executed as a sealed instrument this 28th day of August, 2021.

Thomas R. LeBlanc

Thomas R. LeBlanc

Deborah M. Rosenblatt

Joann M. McAvoy

Steven J. LeBlanc

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss

On this 28th day of August, 2021, before me, the undersigned notary public, personally appeared Thomas R. LeBlanc, proved to me through satisfactory evidence of identification, which was MA Drivers License (source of identification), to be the person whose name is signed on this document, and acknowledged to me that he signed it voluntarily for its stated purpose and that the foregoing instrument is his free act and deed, before me.

David Breton

Notary Public:
My Commission Expires:



COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

On this ___ day of _____, 2021, before me, the undersigned notary public, personally appeared Deborah M. Rosenblatt, proved to me through satisfactory evidence of identification, which was _____ (source of identification), to be the person whose name is signed on this document, and acknowledged to me that she signed it voluntarily for its stated purpose and that the foregoing instrument is her free act and deed, before me.

Executed as a sealed instrument this 23 day of August, 2021.

Thomas R. LeBlanc

Deborah M. Rosenblatt
Deborah M. Rosenblatt

Joann M. McAvoy
Joann M. McAvoy

Steven J. LeBlanc

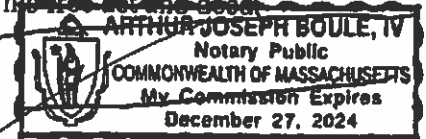
COMMONWEALTH OF MASSACHUSETTS

Worcester, ss

On this 23 day of August, 2021, before me, the undersigned notary public, personally appeared Thomas R. LeBlanc, proved to me through satisfactory evidence of identification, which was _____ (source of identification), to be the person whose name is signed on this document, and acknowledged to me that he signed it voluntarily for its stated purpose and that the foregoing instrument is his free act and deed before me.

Arthur Joseph Boule, IV

Notary Public

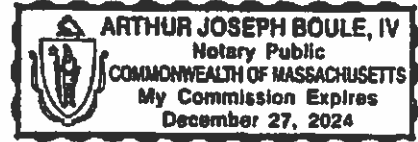


Notary Public:
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

On this 23 day of August, 2021, before me, the undersigned notary public, personally appeared Deborah M. Rosenblatt, proved to me through satisfactory evidence of identification, which was mail (source of identification), to be the person whose name is signed on this document, and acknowledged to me that she signed it voluntarily for its stated purpose and that the foregoing instrument is her free act and deed, before me.



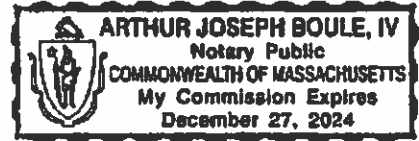
Arthur J. Boule IV

Notary Public: Arthur J. Boule IV
My Commission Expires: 12/27/24

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

On this 23 day of August, 2021, before me, the undersigned notary public, personally appeared Joann M. McAvoy, proved to me through satisfactory evidence of identification, which was mid (source of identification), to be the person whose name is signed on this document, and acknowledged to me that she signed it voluntarily for its stated purpose and that the foregoing instrument is her free act and deed, before me.



Arthur J. Boule IV

Notary Public: Arthur J. Boule IV
My Commission Expires: 12/27/24

I, Robert McAvoy, spouse of Joann M. McAvoy, hereby release all my right, title and interest in Homestead rights for the property known as Easterly Side of Winchendon Road, Gardner, Worcester County, Massachusetts.

Robert McAvoy

Robert McAvoy

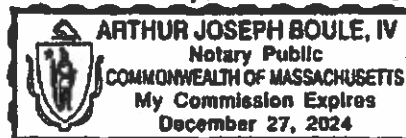
COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

On 23 day of August, 2021, before me, the undersigned notary public, personally appeared Robert McAvoy, the above-named and proved to me through satisfactory evidence of identification being mid, to be the person whose name is signed on this document, and acknowledged to me that he/she signed it voluntarily for its stated purpose and that the foregoing instrument is his/her free act and deed.

Arthur J. Boule IV

Notary Public: Arthur J. Boule IV
My Commission Expires: 12-27-2024




Executed as a sealed instrument this 31st day of August, 2021.

Thomas R. LeBlanc

Deborah M. Rosenblatt

Joann M. McAvoy



Steven J. LeBlanc

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss

On this ____ day of _____, 2021, before me, the undersigned notary public, personally appeared Thomas R. LeBlanc, proved to me through satisfactory evidence of identification, which was _____ (source of identification), to be the person whose name is signed on this document, and acknowledged to me that he signed it voluntarily for its stated purpose and that the foregoing instrument is his free act and deed, before me.

Notary Public:
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

On this ____ day of _____, 2021, before me, the undersigned notary public, personally appeared Deborah M. Rosenblatt, proved to me through satisfactory evidence of identification, which was _____ (source of identification), to be the person whose name is signed on this document, and acknowledged to me that she signed it voluntarily for its stated purpose and that the foregoing instrument is her free act and deed, before me.

STATE OF DELAWARE

Kent, ss

On this 31st day of August, 2021, before me, the undersigned notary public, personally appeared Steven J. LeBlanc, proved to me through satisfactory evidence of identification, which was Delaware Driver's License (source of identification), to be the person whose name is signed on this document, and acknowledged to me that he signed it voluntarily for its stated purpose and that the foregoing instrument is his free act and deed, before me.

Robin M. Deputy

Notary Public:
My Commission Expires:



I, Linda LeBlanc, spouse of Steven J. LeBlanc, hereby release all my right, title and interest in Homestead rights for the property known as Easterly Side of Winchendon Road, Gardner, Worcester County, Massachusetts.

Linda LeBlanc

Linda LeBlanc

STATE OF DELAWARE

Kent, ss

On 31st day of August, 2021, before me, the undersigned notary public, personally appeared Linda LeBlanc, the above-named and proved to me through satisfactory evidence of identification being Delaware Driver's License, to be the person whose name is signed on this document, and acknowledged to me that he/she signed it voluntarily for its stated purpose and that the foregoing instrument is his/her free act and deed.

Robin M. Deputy

Notary Public:

My Commission Expires:



ATTEST: WORC Kathryn A. Toomey, Register

Parcel ID:

M47-22-04

Address:

No Formal Address

Owner:

City of Gardner

Other:

Vacant Wooded Lot

CITY OF GARDNER
 95 PLEASANT ST STE 125
 GARDNER MA 01440
 GIS ID M_158344_929395
 Assoc Pld#

CURRENT OWNER
 CITY OF GARDNER
 95 PLEASANT ST STE 125
 GARDNER MA 01440

UTILITIES
 1 Paved
 2 Suburban

STRT/ROAD
 1 Paved
 2 Suburban

LOCATION
 EXM LAND

CURRENT ASSESSMENT
 Code 9300
 Appraised 424,000
 Assessed 424,000

SUPPLEMENTAL DATA
 All Pct ID
 Sub-Div
 Photo
 Ward
 Prec.

RECORD OF OWNERSHIP

BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	Total
2701 0009	07-30-1937	U	V	0	1E	424,000

EXEMPTIONS

Year	Code	Description	Amount	Number	Amount	Comm Int
2023	9300	9300	424,000	2022	405,600	2021
Total			424,000	405,600		398,000

OTHER ASSESSMENTS

Year	Code	Description	Amount	Number	Amount	Comm Int
2023	9300	9300	424,000	2022	405,600	2021
Total			424,000	405,600		398,000

ASSESSING NEIGHBORHOOD

Nbhd Name B

Tracing

Batch

NOTES

Appraised Bldg. Value (Card) 0
 Appraised Xf (B) Value (Bldg) 0
 Appraised Ob (B) Value (Bldg) 0
 Appraised Land Value (Bldg) 424,000
 Special Land Value 0
 Total Appraised Parcel Value 424,000

BUILDING PERMIT RECORD

Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments
05-25-2022	CK	22	Vacant Parcel					Purpos/Result
10-20-2008	PR	99						Measur+Listed
09-15-1995	RM	00						Measur+Listed
06-15-1981	79	00						Measur+Listed

LAND LINE VALUATION SECTION

B	Use Code	Description	Zone	Land Type	Land Units	Unit Price	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes	Special Use	Adj Unit Pric	Land Value		
1	9300	City of Gardner V	R2		43.560 SF	1.74	1.00000	5	1.00		1.000			1.74	75,900		
1	9300	City of Gardner V	R2		0 FF	0.00	1.00000	0	1.00		1.000			0	0		
1	9300	City of Gardner V	R2		119.200 AC	4,000.00	1.00000	0	1.00		1.000			2,920	348,100		
Total Card Land Units														120.20 AC	Parcel Total Land Area: 120.20	Total Land Value	424,000

CONSTRUCTION DETAIL		Element	Cd	Description
Style:	99	Vacant Land		
Model	00	Vacant		
Grade:				
Stories:				
Occupancy				
Exterior Wall 1				
Exterior Wall 2				
Roof Structure:				
Roof Cover				
Interior Wall 1				
Interior Wall 2				
Interior Fir 1				
Interior Fir 2				
Heat Fuel				
Heat Type:				
AC Type:				
Total Bedrooms				
Total Bthrms:				
Total Half Baths				
Total Xtra Fxtrs				
Total Rooms:				
Bath Style:				
Kitchen Style:				



CONSTRUCTION DETAIL (CONTINUED)		Code	Description	Percentage
9300	City of Gardner V			100
COST / MARKET VALUATION				
RCN				0
Year Built				0
Effective Year Built				0
Depreciation Code				0
Remodel Rating				0
Year Remodeled				0
Depreciation %				0
Functional Obsol				0
Economic Obsol				0
Trend Factor				1
Condition				0
Condition %				0
Percent Good				0
RCNLD				0
Dep % Ovr				
Misc Imp Ovr				
Dep Ovr Comment				
Misc Imp Ovr Comment				
Cost to Cure Ovr				
Cost to Cure Ovr Comment				

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)										
Code	Description	L/B	Units	Unit Price	Yr Blt	Cond. Cd	% Gd	Grade	Grade Adj	Appr. Value
BUILDING SUB-AREA SUMMARY SECTION										
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value				
		Ttl Gross Liv / Lease Area		0	0	0	0	0	0	0

Worcester District Registry of Deeds - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 2/7/2023 2:30:39 PM

Doc#	Document Type	Town	Book/Page	File Date	Consideration
0					
Property-Street Address and/or Description					
AYER RD					
Grantors					
POUTRY MARTIN D, SHAKER PLACE REALTY TR					
Grantees					
References-Book/Pg Description Recorded Year					
Registered Land Certificate(s)-Cert# Book/Pg					

the mortgagee shall have the statutory power of sale.
I N W I T N E S S W H E R E O F Elgin, Inc. has hereunto caused its corporate name and seal to be affixed, by Esther Rabinovitz, its Treasurer, thereunto duly authorized, this 30th day of July 1937.

Signed and sealed in the presence of
Samuel Seder Elgin, Inc. (corporate seal)
by Esther Rabinovitz Treasurer
Commonwealth of Massachusetts

Worcester, ss. July 30, 1937. Then personally appeared the above named Esther Rabinovitz and acknowledged the foregoing instrument to be the free act and deed of Elgin, Inc. before me

Samuel Seder Justice of the Peace
A special meeting of the Stockholders and Directors of Elgin, Inc. was held at the office of Seder & Seder, 307 Slater Bldg., Worcester, Mass. on Friday, July 30, 1937, at 10 o'clock A. M. Present were all the Stockholders and Directors.

On motion duly made and seconded it was V O T E D that the Treasurer of the Corporation, namely Esther Rabinovitz, be authorized to sign, execute and deliver to the People's Savings Bank a mortgage in the sum of \$35,000.00, covering property purchased by the Corporation, said property being situated at 72-80 Chandler Street, Worcester, Mass.

No further business appearing it was voted to adjourn.
A true copy:

Attest: Philip Rosenberg Clerk
Rec'd July 30, 1937 at 4h. 31m. P. M. Ent'd & Ex'd

* * * * *

I, Harriet G. Heywood, of Gardner, Worcester County, Massachusetts, being unmarried, for consideration paid, grant to City of Gardner, a municipal corporation, in the County of Worcester, Commonwealth of Massachusetts, with W A R R A N T Y covenants. Certain real estate situated in GARDNER, Worcester County, Massachusetts, bounded and described as follows, to wit: Beginning at a stake in the west line of Green Street which is 122.1 feet from a stone monument situated northerly in said westerly line of said Green Street; thence N. 83° 15' W. 140 feet to an angle in the wall; thence N. 77° 15' W. 73 feet to a corner at land of Heirs of Henry Heywood; thence easterly by land of Susan G., Hattie A., Fred and Chas. M. Coolidge 5 rods to an angle; thence easterly by said Coolidges' land 8 rods and 6 links to a stake in the west line of said street; thence northerly by said street line to the place of beginning.

Heywood
to
City of Gardner
1-\$2.00 Stamp
Cancelled

Also another tract of land adjoining the above described tract and bounded and described as follows: Beginning at the southeast corner thereof at a corner of land formerly owned by Oliver H. Brown and on the west side of Green Street; thence running N. 80 1/4° W. by said Brown land on the wall to a corner of the wall at land of Artemas Cooledge; thence N. 27 1/4° E. by said Cooledge land 7 rods 5 links to a corner; thence N. 78 1/2° E. 5 rods; thence N. 87 1/2° E. 8 rods 6 links to the line of said Green Street; thence southerly by the line of said street to the place of beginning. Containing 5/8 of an acre, more or less.

Being the same premises conveyed to me by Administrator's deed of Daniel H. Parker dated April 20, 1935 and recorded with Worcester District Deeds, Book 2640, Page 356.

Subject to five-twelfths of the taxes due the City of Gardner for the year 1937.

W I T N E S S my hand and seal this 29th day of July 1937.
Harriet G. Heywood (seal)

The Commonwealth of Massachusetts
Worcester, ss. Gardner, July 29, 1937. Then personally appeared the above named Harriet G. Heywood, and acknowledged the foregoing instrument to be her free act and deed, before me

M. Alan Moore Justice of the Peace
My commission expires February 10, 1939
Rec'd July 30, 1937 at 4h. 32m. P. M. Ent'd & Ex'd

* * * * *

Heywood Farm, Inc., a corporation duly organized under the laws of the Commonwealth of Massachusetts, and having a usual place of business at Gardner, Worcester County, Massachusetts for consideration paid, grants to the City of Gardner, a municipal corporation, in the County of Worcester, Commonwealth of Massachusetts, with W A R R A N T Y covenants, the land in GARDNER and WINCHENDON, in said County and Commonwealth, bounded and described as follows, to wit:
Tract 1. A certain tract of land situated in the northerly part of

Heywood Farm, Inc.
to
City of Gardner

Property **NOT**
Included In Zoning
Change Proposal

Parcel ID:

M42-14-03

Address:

No Formal Address

Owner:

City of Gardner

Other:

Gardner City Forrest
Protected by Article 97 of the
Massachusetts Constitution

9300	CITY OF GARDNER	411 Rolling	UTILITIES	STRT / ROAD	LOCATION	DESCRIPTION	Code	Appraised	Assessed
9300	95 PLEASANT ST STE 125					EXM LAND	9300	799,700	799,700

95 PLEASANT ST STE 125
 GARDNER MA 01440
 All Parcel ID
 Sub-Div
 Photo
 Ward
 Prec.
 GIS ID M_158932_928580
 Assoc Pld#

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	QU	V/I	SALE PRICE	VC
CITY OF GARDNER	1	0	01-01-1900	Q	V	0	00

EXEMPTIONS		Year	Code	Description	Amount
		2023	9300	799,700	799,700
OTHER ASSESSMENTS		Year	Code	Description	Amount
		2023	9300	799,700	799,700

ASSESSING NEIGHBORHOOD		Nbhd	Nbhd Name	Tracing	Batch
		0001	B		

APPRaised VALUE SUMMARY		Appraised Bldg. Value (Card)	0
		Appraised X (B) Value (Bldg)	0
		Appraised Ob (B) Value (Bldg)	0
		Appraised Land Value (Bldg)	799,700
		Special Land Value	0
		Total Appraised Parcel Value	799,700

PREVIOUS ASSESSMENTS (HISTORY)		Total	799,700	799,700
Year	Code	Assessed	Year	Code
2023	9300	799,700	2022	9300
			2021	9300
Total		799,700	799,700	799,700

BUILDING PERMIT RECORD		Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments

LAND LINE VALUATION SECTION		Use Code	Description	Zone	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes	Special Use	Adj Unit Price	Land Value
1	9300	City of Gardner V	R2		43,560	SF	1.74	1.00000	5	1.00	1.000	1.000		0	1.74	75,900
1	9300	City of Gardner V	R2		0	FF	0.00	1.00000	0	1.00	1.000	1.000		0	0	0
1	9300	City of Gardner V	R2		312,000	AC	4,000.00	1.00000	0	1.00	1.000	1.000		0	2,320	723,800
Total Card Land Units					313,000	AC										799,700
Parcel Total Land Area:					313,000											799,700

VISIT / CHANGE HISTORY		Date	Id	Type	Is	Cd	Purpose/Result
		05-25-2022	CK			22	Vacant Parcel
		10-28-2008	JAG			99	
		09-15-1995	RM			00	Measur+Listed
		06-15-1981	79			00	Measur+Listed

VISION		316	GARDNER, MA
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CONSTRUCTION DETAIL (CONTINUED)

Element	Cd	Description	Element	Cd	Description
Style:	99	Vacant Land			
Model:	00	Vacant			
Grade:					
Stories:					
Occupancy:					
Exterior Wall 1					
Exterior Wall 2					
Roof Structure:					
Roof Cover:					
Interior Wall 1					
Interior Wall 2					
Interior Fir 1					
Interior Fir 2					
Heat Fuel:					
Heat Type:					
AC Type:					
Total Bedrooms					
Total Bathrms:					
Total Hall Baths					
Total Xtra Fixtrs					
Total Rooms:					
Bath Style:					
Kitchen Style:					

MIXED USE		COST / MARKET VALUATION	
Code	Description	Percentage	
9300	City of Gardner V	100	
		0	
		0	
		0	

Year Buill	0
Effective Year Buill	0
Depreciation Code	0
Remodel Rating	0
Year Remodeled	0
Depreciation %	0
Functional Obsol	0
Economic Obsol	0
Trend Factor	1
Condition	0
Condition %	0
Percent Good	0
RCMLD	0
Dep % Ovr	0
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	LB	Units	Unit Price	Yr Bkt	Cond. Cd	% Gd	Grade	Grade Adj.	Appr. Value

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprac Value
	10 Gross Liv / Lease Area	0	0	0		0

No Sketch





CITY of GARDNER
Office of the City Clerk
95 Pleasant Street, Room 121
Gardner, MA 01440
*Tel. 978-630-4058 *Fax: 978-630-2589

CITY OF GARDNER
NOTICE OF JOINT PUBLIC HEARING

Pursuant to G.L. 40A, § 5, notice is hereby given that the City Council and Planning Board will conduct a **Joint Public Hearing** on **Monday, March 20, 2023 at 6:30 P.M.** in the City Council Chamber, Room 219, City Hall, 95 Pleasant Street, Gardner, to consider amending Chapter 675, the Zoning Code of the City of Gardner. The proposed Amendment involves changing items:

- **10891** – An Ordinance to Amend the Code of the City of Gardner, Chapter 675 Thereof, entitled “Zoning,” to Change the Classification of Certain Parcels of Land Along Route 140.
- **10892** – An Ordinance to Amend the Code of the City of Gardner, Chapter 675 thereof, entitled “Zoning,” to add “Sports Betting” to the Zoning Table of Uses.
- **10893** – An Ordinance to Amend the Code of the City of Gardner, Chapter 675 thereof, entitled “Zoning,” to Amend Section 1070 thereof, entitled, “Marijuana Establishments” to increase the quota allowed by the Code of the City of Gardner

Information regarding this amendment is available for viewing in the City Clerk’s Office, the Department of Community Development and Planning (DCDP), or on the City’s webpage – www.gardner-ma.gov.

All persons interested in this matter and desire to offer testimony are invited to attend the hearing.

Titi Siriphan
City Clerk



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

February 3, 2023

Hon. Elizabeth J. Kazinskas, Council President
And City Councilors
Gardner City Hall, Rm 121
95 Pleasant St
Gardner, MA 01440

RE: Zoning Ordinance Proposal- Sports Betting Facilities

Dear Madam President and Councilors,

As you are likely aware, on August 10, 2022, former Governor Charlie Baker signed Chapter 173 of the Acts of 2022 into law, legalizing sports betting in the Commonwealth.

This new addition to the General Laws, some parts of which have already taken effect while others will within the next few months, allows for the opening of new facilities across the Commonwealth where individuals can gamble and place wagers on sporting games.

Currently, these types of facilities are not governed by our zoning ordinance, as they were not allowed prior to the passage of this act. The attached ordinance proposal is being presented to help protect the City so that we can regulate where facilities like this can go and make sure that in the event that a facility like this looks to open in Gardner, it locates in a location that fits this use rather than in a largely residential area that could cause disruptions to a neighborhood.

I believe it is in the best interest of the City to be proactive in this matter in order to make sure the City has the tools in place before any situations may arise.

Respectfully Submitted,

Michael J. Nicholson
Mayor, City of Gardner

CC:
City Council Public Welfare Committee
Planning Board

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 675 THEREOF, ENTITLED "ZONING," TO ADD "SPORTS BETTING" TO THE ZONING TABLE OF USES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDNER AS FOLLOWS:

SECTION 1: That Section 210(B) of Chapter 675, entitled "Word Usage and Definitions," be amended by adding the following definition to its list:

Sports Betting Facility – An entity licensed by the Massachusetts Gaming Commission under the provisions of Chapter 173 of the Acts of 2022 of the General Laws to conduct sporting and wagering events.

SECTION 2: That Section 54 of Attachment 1 of Chapter 675 of the Code of the City of Gardner, entitled "Zoning- Table of Uses," be adding the term "Sports Betting Facility" to the description of use as follows:

54. Indoor amusement, fitness, or recreational place or place of assembly, provided that the building is so insulated and maintained as to confine noise to the premises and is located not less than 100 feet from a residential district, or a sports betting facility.

SECTION 2: That Section 56 of Attachment 1 of Chapter 675 of the Code of the City of Gardner, entitled "Zoning- Table of Uses," be adding the term "Sports Betting Facility" to the description of use as follows:

56. Public or commercial outdoor amusement or recreation use, or a sports betting facility, but not including outdoor drive-in movie theater.

SECTION 3: This this ordinance take effect upon passage and publication as required by law.



CITY OF GARDNER POLICE DEPARTMENT

200 Main Street
Gardner, Massachusetts 01440
Phone: (978) 632-5600
Fax: (978) 632-9045



Eric P. McAvene
Chief of Police

Nicholas P. Maroni
Deputy Chief of Police

February 3, 2023

The Honorable Michael J. Nicholson, Mayor
Gardner City Hall
95 Pleasant Street
Gardner, MA 01440

Re: Sports Betting Zoning Ordinance

Dear Mayor,

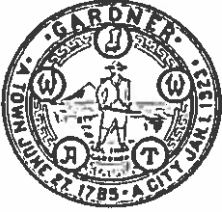
I have reviewed the proposed addition of the new Sports Betting Ordinance and do not see any issues from the police department. Any proposed facility should have a buffer between any residential zone and this ordinance reflects the new law.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Eric P. McAvene".

Eric P. McAvene
Chief of Police



City of Gardner
Department of Inspectional Services
115 Pleasant Street, Room 101
Gardner, MA 01440
Tel. (978) 630-4007 Fax: (978) 632-3313

Feb. 7, 2023

RE: Text Amendment

Dear Mr. Mayor,

Please accept this letter as my full support for your proposed text amendment to our Zoning Ordinance regarding sports betting. I believe when new laws are enacted at a state level that a municipalities Zoning must change to reflect the new law, or be forced to react to a potential problem.

Do not hesitate to contact me should you need any further assistance.

Roland Jean
Building Commissioner/Zoning Enforcement Officer
City Hall Annex
115 Pleasant St. RM 101
Gardner, MA 01440
(978) 630 4007
rjean@gardner-ma.gov

Mission Statement

To promote the safe and compatible development of the community through fair and consistent enforcement of building codes and zoning ordinances

Current Ordinance

GARDNER CODE

Description of Use	SFR1	RR2	GR3	COM1	COM2	IND1	IND2
49. Restaurant	NP	SP	NP	P	P	P	NP
50. Restaurant, fast-food, including appurtenant structures to provide drive-through or drive-in services	NP	NP	NP	SP	SP	NP	NP
51. Restaurant serving food or beverages with live or mechanical entertainment	NP	SP	NP	SP	P	NP	NP
52. Wholesale office or showroom, with storage limited to floor samples only	NP	NP	NP	P	P	P	P
53. Wholesale office or showroom with storage permitted on property	NP	NP	NP	SP	P	P	P
54. Indoor amusement, fitness, or recreational place or place of assembly, provided that the building is so insulated and maintained as to confine noise to the premises and is located not less than 100 feet from a residential district	NP	NP	NP	P	P	NP	NP
55. Outdoor commercial clubs and/or recreational establishments or use such as swimming pools, tennis courts, ski clubs, camping areas, skating rinks or other commercial facilities offering outdoor recreation	NP	SP	NP	P	P	NP	NP
56. Public or commercial outdoor amusement or recreation use but not including outdoor drive-in movie theater	NP	NP	NP	NP	P	P	NP
57. Bus station or terminal or railroad station for passengers	NP	NP	NP	P	P	P	NP
58. Transport terminal, warehouse distribution facility	NP	NP	NP	NP	NP	P	P
59. Contracting business and contractor's yard, including storage in the open'	NP	NP	NP	NP	SP	P	NP



HOUSE No. 5164

The Commonwealth of Massachusetts

The committee of conference on the disagreeing votes of the two branches with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2862) of the House Bill regulating sports wagering (House, No. 3993), reports recommending passage of the accompanying bill (House, No. 5164). August 1, 2022.

Jerald A. Parisella	Michael J. Rodrigues
Aaron Michlewitz	Eric P. Lesser
David K. Muradian	Patrick M. O'Connor

FILED ON: 8/1/2022

HOUSE No. 5164

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act regulating sports wagering.

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

1 SECTION 1. Section 7 of chapter 4 of the General Laws is hereby amended by striking
2 out clause Tenth, as appearing in the 2020 Official Edition, and inserting in place thereof the
3 following clause:-

4 Tenth, “Illegal gaming”, a banking or percentage game played with cards, dice, tiles,
5 dominoes, or an electronic, electrical or mechanical device or machine for money, property,
6 checks, credit or any representative of value, but excluding: (i) a lottery game conducted by the
7 state lottery commission under sections 24, 24A and 27 of chapter 10; (ii) a game conducted
8 under chapter 23K; (iii) sports wagering conducted under chapter 23N; (iv) pari-mutuel wagering
9 on horse races under chapters 128A and 128C and greyhound races under said chapter 128C; (v)
10 a game of bingo conducted under chapter 271; (vi) charitable gaming conducted under said
11 chapter 271; and (vii) a fantasy contest conducted under section 11M½.

12 SECTION 2. Section 7 of chapter 4 of the General Laws is hereby amended by striking
13 out clause Tenth, as inserted by section 1, and inserting in place thereof the following clause:-

14 Tenth, “Illegal gaming”, a banking or percentage game played with cards, dice, tiles,
15 dominoes, or an electronic, electrical or mechanical device or machine for money, property,
16 checks, credit or any representative of value, but excluding: (i) a lottery game conducted by the
17 state lottery commission under sections 24, 24A and 27 of chapter 10; (ii) a game conducted
18 under chapter 23K; (iii) sports wagering conducted under chapter 23N; (iv) pari-mutuel wagering
19 on horse races under chapters 128A and 128C; (v) a game of bingo conducted under chapter 271;
20 and (vi) charitable gaming conducted under said chapter 271.

21 SECTION 3. Chapter 12 of the General Laws is hereby amended by inserting after
22 section 11M the following section:-

23 Section 11M½. Notwithstanding sections 24, 24A and 27 of chapter 10, chapter 271 or
24 any other general or special law to the contrary, a person or entity that offers fantasy contests for
25 a cash prize to members of the public may offer a fantasy contest to residents of the
26 commonwealth pursuant to and in accordance with regulations promulgated by the attorney
27 general; provided further, for the purposes of section 7 of chapter 4, a fantasy contest shall not be
28 considered illegal gaming. “Fantasy contest” includes any fantasy or simulated game or contest,
29 including, but not limited to, any fantasy or simulated game or contest based on professional
30 sports events in which: (i) the value of all prizes and awards offered to winning participants are
31 established and made known to the participants in advance of the contest; (ii) all winning
32 outcomes reflect the relative knowledge and skill of the participants and shall be determined
33 predominantly by accumulated statistical results of the performance of individuals, including
34 athletes in the case of sports events; and (iii) no winning outcome is based on the score, point
35 spread, or any performance or performances of any single actual team or combination of such

36 teams or solely on any single performance of an individual athlete or player in any single actual
37 event.

38 SECTION 4. Section 4 of chapter 23K of the General Laws, as appearing in the 2020
39 Official Edition, is hereby amended by inserting the following subsection:-

40 (42) regulate and enforce chapter 23N relating to sports wagering.

41 SECTION 5. The General Laws are hereby amended by inserting after chapter 23M the
42 following chapter:-

43 CHAPTER 23N

44 AUTHORIZATION AND REGULATION OF SPORTS WAGERING

45 Section 1. This chapter shall be known and may be cited as the “Massachusetts Sports
46 Wagering Act”.

47 Section 2. Notwithstanding any general or special law to the contrary, the operation of
48 sports wagering and ancillary activities shall be lawful when conducted in accordance with this
49 chapter and the rules and regulations of the commission.

50 Section 3. As used in this chapter the following words shall, unless the context clearly
51 requires otherwise, have the following meanings:

52 “Adjusted gross fantasy wagering receipts”, the total gross receipts from fantasy contests
53 as defined in section 11M1/2 of chapter 12, less only the total of all cash prizes paid to
54 participants in the fantasy contests; provided, however, that the total of all cash prizes paid to

55 participants shall not include the cash equivalent of any merchandise or thing of value awarded
56 as a prize.

57 “Adjusted gross sports wagering receipts”, the total gross receipts from sports wagering
58 less the sum of: (i) the total of all winnings paid to participants; and (ii) all excise taxes paid
59 pursuant to federal law; provided, however, that the total of all winnings paid to participants
60 shall not include the cash equivalent of any merchandise or thing of value awarded as a prize.

61 “Affiliate”, a person who directly or indirectly controls, or is controlled by, or is under
62 common control with, a specified person.

63 “Applicant”, a person who has applied for a license to engage in activity regulated under
64 this chapter.

65 “Breaks”, the odd cents over any multiple of 10 cents of winnings per \$1 wagered.

66 “Category 1 license”, a license issued by the commission that permits the operation of
67 sports wagering in person at a gaming establishment, as defined in section 2 of chapter 23K, and
68 through not more than 2 individually-branded mobile applications or other digital platforms
69 approved by the commission; provided, that the mobile applications or other digital platforms
70 shall be qualified for and issued a category 3 license.

71 “Category 2 license”, a license issued by the commission that permits the operation of
72 sports wagering in-person on the premises where either: (1) live horse racing is conducted in
73 accordance with chapter 128A or (2) the licensee is authorized by law to conduct simulcast
74 wagering on horse or greyhound racing, and through not more than 1 individually branded
75 mobile application or other digital platform approved by the commission; provided, that the

76 mobile applications or other digital platforms shall be qualified for and issued a category 3
77 license; provided further, that the commission may issue a category 2 license to: (1) a person or
78 entity licensed by the commission in accordance with said chapter 128A to conduct a live horse
79 racing meeting, (2) a running horse racing licensee that conducted simulcast wagering as of
80 December 31, 2020 as authorized by law, or (3) a greyhound meeting licensee that conducted
81 simulcast wagering as of December 31, 2020 as authorized by law; provided further, a category 2
82 licensee shall make a capital investment of not less than \$7,500,000 within 3 years after
83 receiving a sports wagering license.

84 “Category 3 license”, a license issued by the commission that permits the operation of
85 sports wagering through a mobile application and other digital platforms approved by the
86 commission.

87 “Close associate”, a person who holds a relevant financial interest in, or is entitled to
88 exercise power in, the business of an applicant or licensee and, by virtue of that interest or
89 power, is able to exercise a significant influence over the management or operation of a gaming
90 establishment or business licensed under this chapter.

91 “Collegiate sport or athletic event”, a sport or athletic event offered or sponsored by, or
92 played in connection with, a public or private institution that offers educational services beyond
93 the secondary level.

94 “Collegiate tournament”, a series of collegiate sports or athletic events involving four or
95 more collegiate teams that make up a single unit of competition.

96 “Commission”, the Massachusetts gaming commission established in section 3 of chapter
97 23K.

98 “Electronic sports”, a single or multiplayer video game played competitively for
99 spectators.

100 “Governmental authority”, any governmental unit of a national, state or local body
101 exercising governmental functions, except the United States government.

102 “License”, any license applied for or issued by the commission under this chapter,
103 including, but not limited to: (i) an operator license or (ii) an occupational license.

104 “National criminal history background check”, a criminal history background check
105 conducted using the criminal history record system maintained by the Federal Bureau of
106 Investigation and based on fingerprint identification or any other method of positive
107 identification.

108 “Occupational license”, a license required to be held by an employee of an operator when
109 the employee performs duties directly related to the operation of sports wagering in the
110 commonwealth in a supervisory role.

111 “Official league data”, statistics, results, outcomes and other data relating to a sporting
112 event that is obtained pursuant to an agreement with the relevant sports governing body, or with
113 an entity expressly authorized by the relevant sports governing body to provide such data to
114 sports wagering operators, which authorizes the use of such data for determining the outcome of
115 tier 2 sports wagers on such sporting event.

116 “Operator” or “sports wagering operator”, any entity permitted under this chapter to offer
117 sports wagering to persons in the commonwealth through a category 1 license, category 2 license
118 or category 3 license.

119 “Operator license”, a category 1 license, category 2 license or category 3 license to
120 operate sports wagering.

121 “Person”, an individual, corporation, association, operation, firm, partnership, trust or
122 other form of business association.

123 “Personal biometric data”, any information about an athlete that is derived from that
124 athlete’s physical or physiological characteristics, including, but not limited to, deoxyribonucleic
125 acid, heart rate, blood pressure, perspiration rate, internal or external body temperature, hormone
126 levels, glucose levels, hydration levels, vitamin levels, bone density, muscle density or sleep
127 patterns.

128 “Players association”, a professional sports association recognized by a sports governing
129 body that represents professional athletes.

130 “Professional sport or athletic event”, an event at which 2 or more persons participate in a
131 sport or athletic event and receive compensation in excess of actual expenses for their
132 participation in such event.

133 “Promotional gaming credit”, a sports wagering credit or other item issued by an operator
134 to a patron to enable the placement of a sports wager.

135 “Qualified gaming entity”, an entity that: (i) holds a gaming license as defined in section
136 2 of chapter 23K; (ii) (a) is licensed by the commission in accordance with chapter 128A to
137 conduct a live horse racing meeting, (b) is a running horse racing licensee that conducted
138 simulcast wagering as of December 31, 2020 as authorized by law or (c) is a greyhound meeting
139 licensee that conducted simulcast wagering as of December 31, 2020 as authorized by law; or

140 (iii) offers an interactive sports wagering platform through a mobile application or other digital
141 platform.

142 “Sports event” or “sporting event”, a professional sport or athletic event, collegiate sport
143 or athletic event, a collegiate tournament, motor race event, electronic sports event or other event
144 authorized by the commission under this chapter; provided, however, that “sporting event” shall
145 not include: (i) high school and youth sports or athletic events; or (ii) a collegiate sport or athletic
146 event involving 1 or more collegiate teams from the commonwealth unless they are involved in a
147 collegiate tournament.

148 “Sports governing body”, an organization that is headquartered in the United States and
149 prescribes final rules and enforces codes of conduct with respect to a sporting event and
150 participants therein; provided, however, that, notwithstanding the foregoing, the commission
151 shall adopt regulations to determine the governing body for electronic sports for the purposes of
152 this chapter.

153 “Sports wager”, a wager on a sporting event or a portion of a sporting event.

154 “Sports wagering”, the business of accepting wagers on sporting events or portions of
155 sporting events, other events, the individual performance statistics of athletes in a sporting event
156 or other events or a combination of any of the same by any system or method of wagering
157 approved by the commission including, but not limited to, mobile applications and other digital
158 platforms; provided, that sports wagering shall not include the acceptance of any wager: (i) with
159 an outcome dependent on the performance of an individual athlete in any collegiate sport or
160 athletic event, including, but not limited, to in-game or in-play wagers; (ii) on a high school or
161 youth sporting event; (iii) on injuries, penalties, player discipline or replay review; and provided

162 further, that sports wagering shall not include fantasy contests as defined in section 11M½ of
163 chapter 12. Sports wagering shall include, but shall not be limited to, single-game bets, teaser
164 bets, parlays, over-under, moneyline, pools, exchange wagering, in-game wagering, in-play bets,
165 proposition bets and straight bets.

166 “Sports wagering account”, a financial record established by an operator for a patron in
167 which the patron may deposit by any method approved by the commission and withdraw funds
168 for sports wagering and other authorized purchases and to which the operator may credit
169 winnings or other amounts due to or authorized by that patron; provided, however, that such
170 account may be established and funded by the patron electronically through an approved mobile
171 application or digital platform; and provided further, that a deposit into a sports wagering
172 account shall not be made using a credit card.

173 “Tier 1 sports wager”, a sports wager that is determined solely by the final score or
174 outcome of a sporting event and is placed before the sporting event has begun.

175 “Tier 2 sports wager”, a sports wager that is not a tier 1 sports wager.

176 “Wager”, a sum of money or thing of value risked on an uncertain occurrence.

177 Section 4. (a) The commission shall regulate the conduct of sports wagering under this
178 chapter.

179 (b) The commission shall promulgate rules and regulations necessary for the
180 implementation, administration and enforcement of this chapter. The commission may
181 promulgate emergency rules and regulations in accordance with applicable procedures for the
182 promulgation of emergency rules and regulations.

183 (c) The commission shall promulgate regulations to prohibit: (i) the purchase or other use
184 of any personal biometric data of an athlete for sports wagering or aiding a patron in placing a
185 wager with sports wagering operators; and (ii) the following advertising, marketing and branding
186 activities: (A) advertisements, marketing and branding in such a manner that it is deceptive,
187 false, misleading, or untrue, or tends to deceive or create a misleading impression whether
188 directly, or by ambiguity or omission; (B) use of unsolicited pop-up advertisements on the
189 internet or by text message directed to an individual on the list of self-excluded persons
190 established pursuant to paragraph (2) of subsection (e) of section 13; (C) any form of advertising,
191 marketing or branding that the commission deems unacceptable or disruptive to the viewer
192 experience at a sports event; (D) advertising, marketing and branding deemed to appeal directly
193 to a person younger than 21 years old; and (E) advertising on any billboards, or any other public
194 signage, which fails to comply with any federal, state or local law.

195 (d)(1) The commission may promulgate rules and regulations including, but not limited
196 to, those governing the acceptance of wagers on a sports event, other event or a series of sports
197 events; types of wagering receipts which may be used; methods of issuing receipts; methods of
198 accounting to be used by operators; types of records to be kept; types of systems for wagering;
199 and any other sports wagering-related issues.

200 (2) The commission shall promulgate rules and regulations regarding protections for
201 patrons placing wagers and the promotion of social responsibility and responsible gaming that
202 shall include, but not be limited to, a requirement that an operator: (i) implement responsible
203 gaming programs that include comprehensive employee trainings on responding to
204 circumstances in which individuals present signs of gambling addiction; (ii) assess, prevent and
205 address problem gaming by an operator's consumers; (iii) permit a consumer to permanently

206 close an account registered to the consumer on any or all platforms owned or operated by the
207 operator at any time and for any reason; (iv) offer consumers access to their account history and
208 account details; (v) refrain from making claims as to a consumer's winnings or money earned
209 that is not net of wagers placed; (vi) allow a consumer to withdraw funds without further
210 solicitation or promotion in the manner in which the funds were deposited; (vii) annually submit
211 a problem gaming plan for approval by the commission, in consultation with the department of
212 public health, that includes the objectives of and timetables for implementing the plan,
213 identification of the persons responsible for implementing and maintaining the plan, procedures
214 for identifying consumers with suspected or known problem gaming behavior, procedures for
215 providing information to consumers concerning problem gaming identification and resources,
216 procedures to prevent gaming by minors and self-excluded persons and any other information the
217 commission may require; and (viii) shall not offer or provide a line of credit to any consumer.

218 (3) The commission shall promulgate regulations that require mobile applications and
219 digital platforms authorized for sports wagering to prominently display upon each entry into the
220 application or platform the telephone number and website for a problem gambling hotline
221 overseen by the department of public health.

222 (e) The commission shall: (i) determine the eligibility of a person to hold or continue to
223 hold a license; (ii) issue all licenses; and (iii) maintain a record of all licenses issued under this
224 chapter.

225 (f) The commission shall levy and collect all fees, surcharges, civil penalties and taxes on
226 adjusted gross sports wagering receipts imposed by this chapter, except as otherwise provided
227 under this chapter.

228 (g) The commission shall have the authority to enforce this chapter and any rule or
229 regulation of the commission and may request that the attorney general bring an action to enforce
230 this chapter or any rule or regulation of the commission by civil action or petition for injunctive
231 relief.

232 (h) The commission may hold hearings, administer oaths and issue subpoenas or
233 subpoenas duces tecum in order to enforce this chapter and the rules and regulations of the
234 commission.

235 (i) The commission may exercise any other powers necessary to effectuate this chapter
236 and the rules and regulations of the commission.

237 Section 5. (a) A person shall not engage in any activity in connection with sports
238 wagering in the commonwealth unless all required licenses have been obtained in accordance
239 with this chapter and the rules and regulations of the commission.

240 (b) The commission shall not grant an operator license until it determines that each
241 person who has control of the applicant meets all qualifications for licensure. For the purposes of
242 this chapter, the following shall be considered to have control of an applicant: (i) a person who
243 owns 10 per cent or more of a corporate applicant and who has the ability to control the activities
244 of the corporate applicant; provided, however, that a bank or other licensed lending institution
245 that holds a mortgage or other lien acquired in the ordinary course of business shall not be
246 considered to have control of an applicant; (ii) a person who holds a beneficial or proprietary
247 interest of 10 per cent or more of a non-corporate applicant's business operation and who has the
248 ability to control the activities of the non-corporate applicant; and (iii) at the commission's

249 discretion, an executive, employee or agent having the power to exercise significant influence
250 over decisions concerning the applicant's sports wagering operations in the commonwealth.

251 (c) A person having control of an applicant pursuant to subsection (b) shall submit to the
252 commission an application in a form determined by the commission. Each such person who is a
253 natural person shall also submit to the commission: (i) fingerprints for a national criminal records
254 check by the department of state police and the Federal Bureau of Investigation; and (ii) a signed
255 authorization for the release of the person's information by the department of state police and the
256 Federal Bureau of Investigation; provided, however, that a person having control of an applicant
257 who is a natural person that has submitted to a national criminal records check in any jurisdiction
258 within the previous year shall not be required to submit to another national criminal records
259 check if such person submits to the commission the results of such previous national criminal
260 records check. Any applicant convicted of any disqualifying offense, as determined by the
261 commission, shall not be licensed.

262 (d) Each person licensed under this chapter shall give the commission written notice not
263 more than 30 days after any change to any material information provided in the application for a
264 license or renewal.

265 (e) A commission employee shall not be an applicant for any license issued under this
266 chapter.

267 Section 6. (a) A licensed qualified gaming entity may operate sports wagering upon the
268 approval of the commission.

269 (b)(1) The commission shall issue a category 1 license to any holder of a gaming license,
270 as defined in section 2 of chapter 23K, that meets the requirements of this chapter and the rules

271 and regulations of the commission; provided, however, that any holder of a category 1 license
272 shall not be issued a category 2 license.

273 (2) The commission shall issue a category 2 license to: (i) any holder of a license to
274 conduct a live horse racing meeting in accordance with chapter 128A; (ii) a running horse racing
275 licensee that conducted simulcast wagering as of December 31, 2020 as authorized by law; or
276 (iii) a greyhound meeting licensee that conducted simulcast wagering as of December 31, 2020
277 as authorized by law; that meets the requirements of this chapter and the rules and regulations of
278 the commission; provided, however, that any holder of a category 2 license shall not be issued a
279 category 1 license; and provided further, that no more than 1 category 2 license shall be issued to
280 any 1 person, entity, or affiliate or close associate of such person or entity.

281 (3) The commission may issue a category 3 license to any entity that offers sports
282 wagering through a mobile application or other digital platform that meets the requirements of
283 this chapter and the rules and regulations of the commission; provided, however, the commission
284 shall issue no more than 7 category 3 licenses that are not connected to a category 1 or category
285 2 license.

286 (4) A category 1 or category 2 licensee may enter into agreements related to mobile or
287 digital sports wagering with a category 3 licensee pursuant to the approval of the commission.
288 Nothing in this chapter shall require a category 3 licensee to partner with or have any
289 commercial relationship with a category 1 or 2 licensee.

290 (c)(1) A qualified gaming entity may submit to the commission a request for a temporary
291 license for the immediate commencement of sports wagering operations. Such request shall
292 include an initial licensing fee of \$1,000,000 payable to the commission.

293 (2) Upon receiving a request for a temporary license, the executive director of the
294 commission shall review the request. If the executive director determines that the entity
295 requesting the temporary license is a qualified gaming entity and has paid the sports wagering
296 initial licensing fee pursuant to paragraph (1), the commission shall authorize the qualified
297 gaming entity to conduct sports wagering for a period of 1 year under a temporary license or
298 until a final determination on its operator license application is made.

299 (3) All sports wagering conducted under authority of a temporary license shall comply
300 with the house rules adopted under section 10.

301 (d) Prior to issuing an operator license, the commission shall commence an investigation
302 into the suitability of the applicant. The commission may use information obtained from the
303 applicant pursuant to chapter 23K, chapter 128A, chapter 128C, or information from other
304 jurisdictions where the applicant is authorized to conduct sports wagering. In evaluating the
305 suitability of the applicant, the commission shall consider the overall reputation of the applicant
306 including, but not limited to: (i) the integrity, honesty, good character and reputation of the
307 applicant; (ii) the financial stability, integrity and background of the applicant; (iii) the business
308 practices and the business ability of the applicant to establish and maintain a successful sports
309 wagering operation; (iv) whether the applicant has a history of compliance with gaming or sports
310 wagering licensing requirements in other jurisdictions; (v) whether the applicant, at the time of
311 application, is a defendant in litigation involving its business practices; and (vi) the suitability of
312 all parties in interest to the license, including affiliates and close associates, and the financial
313 resources of the applicant.

314 (c) The commission may deny an application, if the commission determines during its
315 investigation that an applicant has failed to: (i) establish the applicant's integrity or the integrity
316 of any affiliate, close associate, financial resources or any person required to be qualified by the
317 commission; (ii) demonstrate responsible business practices in any jurisdiction; or (iii) overcome
318 any other reason, as determined by the commission, as to why it would be injurious to the
319 interests of the commonwealth to award the applicant an operator license.

320 (f) Upon application by a qualified gaming entity that is not denied pursuant to subsection
321 (e) and payment of a \$5,000,000 licensing fee, the commission shall grant an operator license to
322 a qualified gaming entity that provides the right to conduct sports wagering; provided, that the
323 qualified gaming entity shall meet the requirements for licensure under this chapter and the rules
324 and regulations of the commission. Such license shall be issued for a 5-year period, and may be
325 renewed for 5-year periods upon payment of a \$5,000,000 renewal fee; provided, that the
326 operator shall continue to meet all requirements under this chapter and the rules and regulations
327 of the commission. The commission shall credit any initial licensing fee paid pursuant to
328 paragraph (1) of subsection (c) to a successful applicant for an operator license against the
329 licensing fee due under this subsection.

330 (g) An operator shall submit to the commission such documentation or information as the
331 commission may require to demonstrate that the operator continues to meet the requirements of
332 this chapter and the rules and regulations of the commission. An operator shall submit required
333 documentation or information no later than 5 years after issuance of its operator license and
334 every 5 years thereafter, or within lesser periods based on circumstances specified by the
335 commission.

336 (h) No licensee shall transfer an operator license, or any direct or indirect interest in the
337 license, without the majority approval of the commission. A person seeking to acquire such
338 license through a transfer shall qualify and otherwise be determined by the commission to be
339 eligible for licensure under this chapter. The commission may reject a proposed license transfer
340 or a proposed transfer of interest in the license to an unsuitable person and may reject a proposed
341 transfer that, in the determination of the commission, would be injurious to the interests of the
342 commonwealth. The commission may promulgate regulations governing this process which may
343 include assessment of a fee to reflect the cost associated with reviewing the proposed transfer.

344 (i) Applications for operator licenses shall be public records under section 10 of chapter
345 66; provided however, that trade secrets, competitively-sensitive or other proprietary information
346 provided in the course of an application for an operator license under this chapter, the disclosure
347 of which would place the applicant at a competitive disadvantage, may be withheld from
348 disclosure under said section 10 of said chapter 66.

349 Section 7. (a) An applicant for an operator license shall pay to the commission a
350 nonrefundable processing fee of \$200,000 for the costs associated with the processing of the
351 application and investigation of the applicant; provided, however, that if the costs of the
352 investigation exceed the initial application fee, the applicant shall pay the additional amount to
353 the commission not more than 30 days after notification of insufficient fees or the application
354 shall be rejected.

355 (b) All fees in this section shall be deposited into the Sports Wagering Control Fund
356 established in section 14.

357 Section 8. Section 8. (a) All persons employed by an operator to perform duties directly
358 related to the operation of sports wagering in the commonwealth in a supervisory role shall
359 maintain a valid occupational license issued by the commission. The commission shall issue such
360 occupational license to a person who meets the requirements of this section.

361 (b) An occupational license authorizes the licensee to be employed in the capacity
362 designated by the commission while the license is active. The commission may establish, by rule
363 or regulation, job classifications with different requirements based on the extent to which a
364 particular job impacts, or has the potential to impact, the lawful operation of sports wagering.

365 (c) An applicant for an occupational license shall submit any required application forms
366 established by the commission and shall pay a nonrefundable application fee of \$100. An
367 employer may pay an application fee on behalf of an applicant.

368 (d) Not later than March 1 of the third calendar year following the issuance or renewal of
369 an occupational license, an occupational license holder shall pay a nonrefundable license renewal
370 fee of \$100 and submit a renewal application on a form established by the commission. An
371 employer may pay the license renewal fee on behalf of the licensed employee.

372 Section 9. Section 9. (a) The commission may deny a license to any applicant, reprimand
373 any licensee or suspend or revoke a license if the applicant or licensee: (i) has knowingly made a
374 false statement of a material fact to the commission; (ii) has had a license revoked by any
375 governmental authority responsible for regulation of gaming activities; (iii) has been convicted
376 of a felony or other crime involving embezzlement, theft, fraud, perjury, or a gambling-related
377 offense; (iv) has not demonstrated to the satisfaction of the commission financial responsibility
378 sufficient to adequately meet the requirements of the proposed enterprise; (v) has affiliates or

379 close associates that would not qualify for a license or whose relationship with the applicant may
380 pose an injurious threat to the interests of the commonwealth in awarding an operator license to
381 the applicant; or (vi) in the case of an operator or an applicant for an operator license, is not the
382 true owner of the business or is not the sole owner and has not disclosed the existence or identity
383 of other persons who have an ownership interest in the business.

384 (b) The commission may deny, suspend or revoke an operator license or reprimand any
385 licensee if the applicant or licensee has not met the requirements of this chapter.

386 Section 10. (a) An operator shall adopt comprehensive house rules for game play
387 governing sports wagering transactions with the operator's patrons. The house rules shall specify
388 the amounts to be paid on winning wagers and the effect of sports event schedule changes. An
389 operator shall not conduct sports wagering until the commission has approved the house rules
390 and an operator shall not conduct sports wagering in a manner inconsistent with approved house
391 rules.

392 (b) The house rules, together with any other information the commission deems
393 appropriate, shall be accessible to any patrons of the sports wagering operator. The operator shall
394 make copies readily available to patrons and shall post the house rules as required by the
395 commission, including on a prominent place on the operator's public website and mobile
396 application or other digital platform.

397 Section 11. (a) An operator shall employ commercially reasonable methods to: (i)
398 prohibit the operator, directors, officers, owners and employees of the operator and any relative
399 living in the same household as any such person from placing bets with the operator; (ii) prohibit
400 athletes, coaches, referees, team owners, employees of a sports governing body or its member

401 teams and player and referee union personnel from wagering on any sporting event of their
402 sport's governing body; provided, however, that the operator shall use lists of such persons that a
403 sports governing body may provide to the commission to determine which persons are excluded
404 from placing wagers under this subsection; and provided further, that the commission may use
405 the list of barred employees from the operator and may work directly with a member team to
406 determine the risk posed by certain employees for obtaining nonpublic confidential information
407 on a sporting event and may remove an employee without knowledge of team strategy or game
408 operations from such a list if the commission determines any such risk is de minimis; (iii)
409 prohibit any individual with access to nonpublic confidential information held by the operator
410 from placing wagers with the operator; (iv) prohibit persons from placing wagers as agents or
411 proxies for others; and (v) maintain the security of wagering data, customer data and other
412 confidential information from unauthorized access and dissemination; provided, however, that
413 nothing in this chapter shall preclude the use of internet or cloud-based hosting of such data and
414 information or disclosure as required by court order, other law or this chapter; and provided
415 further, that such data and information shall be hosted in the United States.

416 (b) A sports governing body or players association representing athletes who participate
417 in sporting events of the sports governing body may submit to the commission, in writing, by
418 providing notice in a form and manner as the commission may require, a request to restrict, limit
419 or exclude a certain type, form or category of sports wagering with respect to sporting events of
420 the sports governing body, if the sports governing body or players association believes that such
421 type, form or category of sports wagering with respect to sporting events of the sports governing
422 body: (i) is contrary to public policy; (ii) unfair to consumers; (iii) may undermine the perceived
423 integrity of the sports governing body, sporting events of the sports governing body or the

424 athletes participating therein; or (iv) affects the integrity of the sports governing body or sporting
425 events of the sports governing body or the athletes participating therein.

426 The commission shall request comment from operators on all such requests. After giving
427 due consideration to all comments received, the commission shall, upon a demonstration of good
428 cause from the requestor, grant the request. The commission shall respond to a request
429 concerning a particular event before the start of the event or, if it is not feasible to respond before
430 the start of the event, not later than 7 days after the request is made; provided, however, that if
431 the commission determines that the requestor is more likely than not to prevail in successfully
432 demonstrating good cause for its request, the commission may provisionally grant the request
433 until the commission makes a final determination as to whether the requestor has demonstrated
434 good cause. Absent a provisional grant by the commission, an operator may continue to offer
435 sports wagering on sporting events that are the subject of a request during the pendency of the
436 consideration of the applicable request.

437 (c) The commission shall designate a state law enforcement entity to have primary
438 responsibility for conducting, or assisting the commission in conducting, investigations into
439 abnormal betting activity, match fixing and other conduct that corrupts a betting outcome of a
440 sporting event for purposes of financial gain.

441 (d) The commission and operators shall use commercially reasonable efforts to cooperate
442 with investigations conducted by sports governing bodies or law enforcement agencies,
443 including, but not limited to, using commercially reasonable efforts to provide or facilitate the
444 provision of anonymized account-level betting information and audio or video files relating to
445 persons placing wagers. All disclosures under this section are subject to the obligation of an

446 operator to comply with all federal, state and local laws and regulations, including, but not
447 limited to, laws and regulations relating to privacy and personally identifiable information.

448 (e) An operator shall immediately report to the commission any information relating to:

449 (i) criminal or disciplinary proceedings commenced against the operator in connection with its
450 operations; (ii) abnormal betting activity or patterns that may indicate a concern with the
451 integrity of a sporting event; (iii) any potential breach of the internal rules and codes of conduct
452 pertaining to sports wagering of a relevant sports governing body; (iv) any other conduct that
453 corrupts a betting outcome of a sporting event for purposes of financial gain, including, but not
454 limited to, match fixing; or (v) suspicious or illegal wagering activities, including, but not limited
455 to: (A) use of funds derived from illegal activity; (B) wagers to conceal or launder funds derived
456 from illegal activity; (C) use of agents to place wagers; and (D) use of false identification. An
457 operator shall immediately report information relating to conduct described in clauses (ii), (iii)
458 and (iv) of this subsection to the relevant sports governing body.

459 (f) The commission and operators shall maintain the confidentiality of information
460 provided by a sports governing body for purposes of investigating or preventing the conduct
461 described in clauses (ii), (iii) and (iv) of subsection (e), unless disclosure is required by this
462 chapter, the commission, other law or court order or unless the sports governing body consents to
463 disclosure.

464 (g) With respect to any information provided by an operator to a sports governing body
465 relating to conduct described in clauses (ii), (iii) and (iv) of subsection (e), a sports governing
466 body shall: (i) only use such information for integrity purposes and shall not use the information
467 for any commercial or other purpose; and (ii) maintain the confidentiality of such information,

468 unless disclosure is required by this chapter, the commission, other law or court order or unless
469 the operator consents to disclosure; provided, however, that the sports governing body may make
470 any disclosure necessary to conduct and resolve integrity-related investigations and may publicly
471 disclose such information if required by its integrity policies or if deemed by the sports
472 governing body in its reasonable judgment to be necessary to maintain the actual or perceived
473 integrity of its sporting events, and subject in all cases to the sports governing body's compliance
474 with federal, state and local laws and regulations, including, but not limited to, laws and
475 regulations relating to privacy and personally identifiable information; and provided further, that
476 prior to any such public disclosure that would identify the operator by name, the sports
477 governing body shall provide the operator with notice of such disclosure and an opportunity to
478 object to such disclosure.

479 (h) An operator shall maintain records of all wagers placed by its patrons, including: (i)
480 personally identifiable information of a patron who places a sports wager through a mobile
481 application or other digital platform or a patron who places an in-person sports wager that
482 exceeds an amount determined by the commission; (ii) amount and type of the bet; (iii) the time
483 the bet was placed; (iv) the location of the bet, including the Internet Protocol address if
484 applicable; (v) the outcome of the bet; and (vi) records of abnormal betting activity for 3 years
485 after a sporting event occurs and video camera recordings in the case of in-person wagers for at
486 least 1 year after a sporting event occurs. An operator shall make these records available for
487 inspection upon request of the commission or as required by court order.

488 (i) An operator shall use commercially reasonable efforts to maintain, in real time and at
489 the account level, anonymized information for each patron, including: (i) the amount and type of
490 bet; (ii) the time the bet was placed; (iii) the location of the bet, including the Internet Protocol

491 address if applicable; (iv) the outcome of the bet; and (v) records of abnormal betting activity.
492 The commission may request the information in the form and manner as it requires. Nothing in
493 this section shall require an operator to provide any information prohibited by federal, state or
494 local laws or regulations, including, but not limited to, laws and regulations relating to privacy
495 and personally identifiable information.

496 (j) If a sports governing body has notified the commission and demonstrated a need for
497 access to the information described in subsection (i) for wagers placed on sporting events of the
498 sports governing body for integrity monitoring purposes and demonstrated the capability to use
499 the data for the purpose of effectively monitoring the integrity of sporting events of the sports
500 governing body, an operator shall share, in a commercially reasonable frequency, form and
501 manner, with the sports governing body or its designee the same information the operator is
502 required to maintain pursuant to said subsection (i) with respect to sports wagers on sporting
503 events of the sports governing body. A sports governing body and its designee shall only use
504 information received pursuant to this section for integrity-monitoring purposes and shall not use
505 information received pursuant to this section for any commercial or other purpose. Nothing in
506 this section shall require an operator to provide any information that is prohibited by federal,
507 state or local law or regulation, including, but not limited to, laws and regulations relating to
508 privacy and personally identifiable information.

509 (k)(1) An operator shall conduct a background check on each newly hired employee.
510 Background checks shall search for criminal history, charges or convictions involving corruption
511 or manipulation of sporting events and association with organized crime.

512 (2) An operator shall conduct a single background check on any employee hired before
513 the operator was issued an operator license. Background checks shall search for criminal history,
514 charges or convictions involving corruption or manipulation of sporting events and association
515 with organized crime.

516 Section 12. (a) An operator shall: (i) employ a monitoring system utilizing software to
517 identify irregularities in volume or changes in odds that could signal suspicious activities and
518 promptly report such information to the commission for further investigation; provided,
519 however, that system requirements and specifications shall be developed according to industry
520 standards and implemented by the commission as part of the minimum internal control
521 standards; (ii) promptly report to the commission any facts or circumstances related to the
522 operation of a sports wagering license that constitute a violation of state or federal law and
523 promptly report to the appropriate state or federal authorities any suspicious betting over a
524 threshold set by the operator that has been approved by the commission; (iii) conduct all sports
525 wagering activities and functions in a manner that does not pose a threat to the public health,
526 safety or welfare of the residents of the commonwealth; (iv) keep current in all payments and
527 obligations to the commission; (v) prevent any person from tampering or interfering with the
528 operation of any sports wagering; (vi) ensure that mobile sports wagering occurs only using a
529 commission-approved mobile application or other digital platform to accept wagers initiated
530 within the commonwealth; (vii) maintain sufficient cash and other supplies to conduct sports
531 wagering at all times; (viii) maintain daily records showing the gross sports wagering receipts
532 and adjusted gross sports wagering receipts of the operator from sports wagering; (ix) timely file
533 with the commission any additional reports required by this chapter or by any rule or regulation;

534 and (x) use commercially reasonable efforts to prevent a person under 21 years old from placing
535 a wager.

536 (b) Sports wagering operators may use any data source for determining:

537 (1) the results of any and all tier 1 sports wagers on any and all sporting events; and

538 (2) the results of any and all tier 2 sports wagers on sporting events of an organization
539 that is not headquartered in the United States.

540 (c) A sports governing body may notify the commission that it desires sports wagering
541 operators to use official league data to settle tier 2 sports wagers on sporting events of such
542 sports governing body. The notification shall be made in the form and manner as the commission
543 may require. Within 5 days of receipt of the notification, the commission shall notify each sports
544 wagering operator of the requirement to use official league data to settle tier 2 sports wagers. If a
545 sports governing body does not notify the commission of its desire to supply official league data,
546 a sports wagering operator may use any data source for determining the results of any and all tier
547 2 sports wagers on sporting events of the sports governing body.

548 (d) Within 60 days of the commission notifying a sport wagering operator of the
549 requirement to use official league data to settle tier 2 sports wagers pursuant to subsection (c), or
550 such longer period as may be agreed between the sports governing body and the applicable
551 sports wagering operator, a sports wagering operator shall use only official league data to
552 determine the results of tier 2 sports wagers on sporting events of that sports governing body,
553 unless:

554 (1) the sports governing body or its designee cannot provide a feed of official league data
555 to determine the results of a particular type of tier 2 sports wager, in which case a sports
556 wagering operator may use any data source for determining the results of the applicable tier 2
557 sports wager until such time a data feed becomes available from the sports governing body on
558 commercially reasonable terms and conditions; or

559 (2) a sports wagering operator can demonstrate to the commission that the sports
560 governing body or its designee will not provide a feed of official league data to the sports
561 wagering operator on commercially reasonable terms and conditions.

562 (e) In evaluating whether official league data is offered on commercially reasonable
563 terms and conditions for purposes of paragraphs (1) and (2) of subsection (d), the commission
564 may consider factors, including, but not limited to:

565 (1) the availability of official league data to a sports wagering operator from more than 1
566 authorized source;

567 (2) market information, including, but not limited to, price and other terms and conditions
568 regarding the purchase by sports wagering operators of comparable data for the purpose of
569 settling sports wagers in the commonwealth and other jurisdictions;

570 (3) the nature and quantity of data, including the quality and complexity of the process
571 used for collecting the data; and

572 (4) the extent to which a sports governing body or its designee has made data used to
573 settle tier 2 wagers available to sports wagering operators and any terms and conditions relating
574 to the use of that data.

575 (f) Notwithstanding subsection (d) or any provision of this subsection to the contrary,
576 during the pendency of the determination of the commission as to whether a sports governing
577 body or its designee may provide official league data on commercially reasonable terms, a sports
578 wagering operator may use any data source to determine the results of tier 2 sports wagers. The
579 determination shall be made within 120 days of the sports wagering operator notifying the
580 commission that it requests to demonstrate that the sports governing body or its designee will not
581 provide a feed of official league data to the sports wagering operator on commercially reasonable
582 terms.

583 (g) A sports governing body may enter into commercial agreements with a sports
584 wagering operator or other entity in which such sports governing body may share in the amount
585 wagered or revenues derived from sports wagering on sporting events of the sports governing
586 body. A sports governing body shall not be required to obtain a license or any other approval
587 from the commission to lawfully accept such amounts or revenues.

588 Section 13. (a) Holders of category 1 and category 2 licenses may accept wagers on
589 sports events and other events authorized pursuant to this chapter in person at authorized
590 facilities.

591 (b) Holders of an operator license may accept wagers on sports events and other events
592 authorized pursuant to this chapter from individuals physically located within the commonwealth
593 using mobile applications or digital platforms approved by the commission, through the patron's
594 sports wagering account. The branding for each mobile application or digital platform shall be
595 determined by the operator. All bets authorized pursuant to this section must be initiated,
596 received and otherwise made within the commonwealth. Consistent with the intent of the federal

597 Unlawful Internet Gambling Enforcement Act of 2006, 31 U.S.C. section 5361 to 5367,
598 inclusive, the intermediate routing of electronic data related to a lawful intrastate wager
599 authorized pursuant to this chapter shall not determine the location or locations in which the
600 wager is initiated, received or otherwise made.

601 (c) An operator may: (i) accept wagers placed by other operators and (ii) place wagers
602 with other operators; provided, that any operator that places a wager with another operator shall
603 inform the operator accepting the wager that the wager is being placed by an operator and shall
604 disclose the operator's identity.

605 (d) An operator shall not accept: (i) a wager from a person who is less than 21 years of
606 age; or (ii) a credit card .

607 (e)(1) The commission or operator may ban any person from participating in the play or
608 operation of any sports wagering consistent with rules and regulations promulgated by the
609 commission. A list of all excluded patrons shall be kept by the commission and provided to each
610 licensee. No patron on the exclusion list shall be permitted to conduct sports wagering pursuant
611 to this chapter.

612 (2) The commission shall establish a list of self-excluded persons from sports wagering.
613 A person may request their name to be placed on the list of self-excluded persons by filing a
614 statement with the commission acknowledging that they are a problem gambler and by agreeing
615 that, during any period of voluntary exclusion, they shall not collect any winnings or recover any
616 losses resulting from any sports wagering. The commission shall adopt further regulations for the
617 self-excluded persons list including procedures for placement, removal and transmittal of the list
618 to sports wagering operators. The commission may revoke, limit, condition, suspend or fine a

619 sports wagering operator if the operator knowingly or recklessly fails to exclude or eject from its
620 premises any person placed on the list of self-excluded persons. The list of self-excluded persons
621 from sports wagering shall not be open to public inspection.

622 (3) An operator that operates sports wagering through a mobile application or other
623 digital platform may allow patrons to set self-imposed limitations on sports wagering when the
624 patron joins the mobile application or digital platform.

625 (f) No employee may place a sports wager at any facility or through any mobile
626 application or digital platform owned or operated by their employer.

627 (g) Sections 24, 24A and 27 of chapter 10 of the General Laws shall not apply to an
628 operator conducting sports wagering in accordance with this chapter.

629 (h) Unclaimed winning sports wagers shall be retained by the operator for the person
630 entitled to the wager for 1 year after the game or event in which the wager was won. If no claim
631 is made for the wager within 1 year, the cash or equivalent cash value of the wager shall be
632 deposited in the Sports Wagering Control Fund established in section 15.

633 Section 14. (a) An excise is hereby imposed upon sports wagering operators in the
634 commonwealth at the rate of: (i) 15 per cent of the operator's adjusted gross sports wagering
635 receipts from the operation of in-person sports wagering; (ii) 20 per cent of the operator's
636 adjusted gross sports wagering receipts from the operation of sports wagering through mobile
637 applications and other digital platforms approved by the commission; and (iii) 15 per cent of the
638 adjusted gross fantasy wagering receipts of a person or entity that offers fantasy contests, as
639 defined in section 11M½. The accrual method of accounting shall be used for purposes of

640 calculating the amount of the tax owed by the licensee. The excise shall be paid to the
641 commission at the time provided for filing the return pursuant to subsection (b).

642 (b)(1) The excise imposed and collected pursuant to subsection (a) shall be due
643 and payable to the commission in monthly installments on or before the fifteenth calendar day
644 following the calendar month in which the adjusted gross sports wagering receipts were received.

645 (2) On or before the fifteenth calendar day of each month, the operator shall complete and
646 submit the return for the preceding month by electronic communication to the commission in a
647 form prescribed by the commission that provides:

648 (i) the total gross sports wagering receipts and adjusted gross sports wagering receipts
649 from operation of sports wagering during that month;

650 (ii) the total gross fantasy wagering receipts and adjusted gross fantasy wagering receipts
651 from the offering of fantasy contests, as defined in section 11M $\frac{1}{2}$ of chapter 12, during that
652 month;

653 (iii) the tax amount for which an operator or a person or entity that offers fantasy
654 contests, as defined in said section 11M $\frac{1}{2}$ of said chapter 12, is liable; and

655 (iv) any additional information necessary in the computation and collection of the tax on
656 adjusted gross sports wagering receipts and adjusted gross fantasy wagering receipts required by
657 the commission.

658 (3) The excise amount shown to be due shall be remitted by electronic funds transfer
659 simultaneously with the filing of the return.

660 (4) When an operator's adjusted gross sports wagering receipts for a month is a negative
661 number because the winnings paid to wagerers and excise taxes paid pursuant to federal law
662 exceed the operator's total gross receipts from sports wagering, the commission shall allow the
663 operator to carry over the negative amount to returns filed for subsequent months. The negative
664 amount of adjusted gross sports wagering receipts shall not be carried back to an earlier month
665 and taxes previously received by the commission shall not be refunded unless the operator
666 surrenders its license and the operator's last return reported negative adjusted gross sports
667 wagering receipts.

668 (c) The excise on adjusted gross sports wagering receipts imposed by this section shall be
669 in lieu of all other state and local taxes and fees imposed on the operation of, or the proceeds
670 from operation of, sports wagering.

671 (d) Annually, not later than July 1, the commission shall publish on its website a report
672 stating the amount in fees, surcharges and civil penalties received from operators and taxes
673 received from operators and from people or entities that offer fantasy contests, as defined in
674 section 11M½ of chapter 12.

675 Section 15. (a) There shall be established and set up on the books of the commonwealth a
676 separate fund to be known as the Sports Wagering Control Fund. The commission shall be the
677 trustee of the fund and shall expend money to finance the operational activities of the
678 commission pertaining to sports wagering. The fund shall be credited with: (i) any appropriation,
679 bond proceeds or other monies authorized by the general court and specifically designated to be
680 credited thereto; (ii) the proceeds of any fees collected pursuant to this section unless otherwise
681 specified; (iii) fees collected pursuant to sections 7 and 8; (iv) breaks; and (v) such additional

682 funds as are subject to the direction and control of the commission. All available money in the
683 fund that is unexpended at the end of each fiscal year shall not revert to the General Fund and
684 shall be available for expenditure in the subsequent fiscal year.

685 (b) The commission shall establish fees for any investigation into a violation of this
686 chapter or regulation promulgated hereunder by a sports wagering operator to be paid by the
687 sports wagering operator including, but not limited to, billable hours by commission staff
688 involved in the investigation and the costs of services, equipment or other expenses that are
689 incurred by the commission during the investigation.

690 (c) Any remaining costs of the commission necessary to maintain regulatory control over
691 sports wagering operators that are not covered by: (i) the fees set forth in subsection (b); (ii) any
692 other fees assessed pursuant to this chapter; or (iii) any other designated sources of funding, shall
693 be annually assessed on sports wagering operators pursuant to this chapter in proportion to each
694 operator's share of the commonwealth's total adjusted gross sports wagering receipts. Each
695 operator shall pay the amount assessed against the operator not more than 30 days after the date
696 of the notice of assessment from the commission.

697 (d) If the fees collected pursuant to subsections (b) and (c) exceed the cost required to
698 maintain regulatory control, the surplus funds shall be credited in proportional shares against
699 each sports wagering operator's next assessment.

700 (e) The commission shall annually assess and collect a \$1,000,000 fee in shares to be
701 determined by the commission against each sports wagering operator that is not a category 1 or
702 category 2 gaming licensee, as defined in section 2 of chapter 23K. The fee collected pursuant to
703 this subsection shall be deposited into the Public Health Trust Fund established in section 58 of

704 said chapter 23K and shall be used for the costs of services and public health programs provided
705 for in said section 58 of said chapter 23K.

706 Section 16. (a) The commission may assess a civil administrative penalty on an operator
707 who fails to comply with any provision of this chapter, house rules or any regulation or order
708 adopted by the commission; provided, however, that the noncompliance shall have occurred after
709 the commission has given such operator written notice of the noncompliance and the time stated
710 in the notice for coming into compliance has elapsed; provided further, that the commission may
711 assess a penalty without providing written notice if the failure to comply: (i) was part of a pattern
712 of noncompliance and not an isolated instance; (ii) was willful or neglectful and not the result of
713 error; (iii) resulted in a significant breach to the integrity of the operator or the sports wagering
714 laws of the commonwealth; or (iv) consisted of failure to promptly report to the commission any
715 knowledge of evidence or circumstances that would cause a reasonable person to believe that a
716 violation of this chapter has been committed. The civil administrative penalty shall be in addition
717 to any other civil penalty that may be prescribed by law.

718 (b) For the purpose of determining whether such noncompliance was part of a pattern of
719 noncompliance and not an isolated instance, the commission shall consider, but not be limited to;
720 (i) whether the commission had previously notified the operator of such noncompliance on more
721 than 1 occasion during the previous month or of any noncompliance with the same provision of a
722 law, regulation, order, license or approval as the current noncompliance during the previous 6-
723 month period; or (ii) whether the current and previous instances of noncompliance, considered
724 together, indicate a potential threat to the integrity of the operator and sports wagering in the
725 commonwealth or an interference with the commission's ability to efficiently and effectively
726 regulate sports wagering in the commonwealth and enforce any regulation, license or order. If an

727 operator that has received a notice of noncompliance fails to come into compliance within the
728 time period stated in the notice, the civil administrative penalty may be assessed by the
729 commission upon the operator from the date of receipt of such notice.

730 (c) If the commission seeks to assess a civil administrative penalty on an operator, the
731 commission shall cause to be served upon the operator, by service in hand or by certified mail,
732 return receipt requested, a written notice of its intent to assess a civil administrative penalty that
733 shall include: (i) a concise statement of the alleged act or omission for which such civil
734 administrative penalty is sought to be assessed; (ii) each law, regulation, order, license or
735 approval that has not been complied with as a result of such alleged act or omission; (iii) the
736 amount that the commission seeks to assess as a civil administrative penalty for each alleged act
737 or omission; (iv) a statement of the operator's right to an adjudicatory hearing on the proposed
738 assessment; (v) the requirements the operator shall comply with to avoid being deemed to have
739 waived the right to an adjudicatory hearing; and (vi) the manner of payment thereof if the
740 operator elects to pay the penalty and waive an adjudicatory hearing. After written notice of
741 noncompliance or intent to assess a civil administrative penalty has been given, each day
742 thereafter during which noncompliance occurs or continues shall constitute a separate offense
743 and shall be subject to a separate civil administrative penalty if reasonable efforts have not been
744 made by the operator to promptly come into compliance.

745 (d) If the commission seeks to assess a civil administrative penalty on an operator, the
746 operator shall have the right to an adjudicatory hearing under chapter 30A, the provisions of
747 which shall apply except when they are inconsistent with the provisions of this chapter.

748 (e) An operator shall be deemed to have waived its right to an adjudicatory hearing
749 unless, not more than 21 days after the date of the commission's notice that the commission
750 seeks to assess a civil administrative penalty, the operator files with the commission a written
751 statement denying the occurrence of any of the acts or omissions alleged by the commission in
752 the notice or asserting that the amount of the proposed civil administrative penalty is excessive.
753 In an adjudicatory hearing authorized under chapter 30A, the commission shall be required to
754 prove, by a preponderance of the evidence, the occurrence of each act or omission alleged by the
755 commission in the notice.

756 (f) If an operator waives the right to an adjudicatory hearing, the proposed civil
757 administrative penalty shall be final immediately upon such waiver. If a civil administrative
758 penalty is assessed at the conclusion of an adjudicatory hearing, the civil administrative penalty
759 shall be final upon the expiration of 30 days unless an action for judicial review of the decision is
760 commenced under chapter 30A.

761 (g) An operator who institutes proceedings for judicial review of the final assessment of a
762 civil administrative penalty shall place the full amount of the final assessment in an interest-
763 bearing escrow account in the custody of the clerk or magistrate of the reviewing court. The
764 establishment of an interest-bearing escrow account shall be a condition precedent to the
765 jurisdiction of the reviewing court unless the party seeking judicial review demonstrates, in a
766 preliminary hearing held not more than 20 days after the filing of the complaint, the presence of
767 a substantial question for review by the court or the operator's inability to pay. Upon such a
768 demonstration, the court may grant an extension or waiver of the interest-bearing escrow account
769 requirement or may require, in lieu of such interest-bearing escrow account, the posting of a

770 bond payable directly to the commonwealth in the amount of 125 per cent of the assessed
771 penalty.

772 If, after judicial review, in a case where the escrow account requirement has been waived,
773 and in cases where a bond has been posted in lieu of such requirement, the court affirms, in
774 whole or in part, the assessment of a civil administrative penalty, the commission shall be paid
775 the amount thereof together with interest at the rate provided in section 6C of chapter 231. If,
776 after judicial review in a case where an interest-bearing escrow account has been established, the
777 court affirms the assessment of such penalty, in whole or in part, the commission shall be paid
778 the amount thereof together with the accumulated interest in the interest-bearing escrow account.
779 If the court sets aside the assessment of a civil administrative penalty in a case where the amount
780 of such penalty has been deposited in an interest-bearing escrow account, the operator on whom
781 the civil administrative penalty was assessed shall be repaid the amount so set aside, together
782 with the accumulated interest thereon.

783 (h) Each operator who fails to timely pay a civil administrative penalty and each operator
784 who issues a bond under this section and fails to timely pay to the commission the amount
785 required for the bond, shall be liable to the commonwealth for up to 3 times the amount of the
786 civil administrative penalty, together with costs, plus interest accrued from the time the civil
787 administrative penalty became final and attorneys' fees, including all costs and attorneys fees
788 incurred directly in the collection of the penalty. The rate of interest shall be the rate provided in
789 section 6C of chapter 231. The commission may require that the amount of a civil administrative
790 penalty imposed under this section exceed any economic benefit realized by a person.

791 (i) The commission may impose conditions on, suspend or revoke an operator's license or
792 reprimand or assess a fine on an operator upon a finding that the operator: (i) has committed a
793 criminal or civil offense under this chapter or under any other law; (ii) is not in compliance with
794 sports wagering regulations promulgated pursuant to this chapter; (iii) is under criminal
795 investigation in another jurisdiction; (iv) has breached a condition of licensure; (v) has affiliates,
796 close associates or employees that are not qualified or licensed under this chapter with whom the
797 operator continues to conduct business or employ; (vi) is no longer capable of maintaining
798 operations as a sports wagering operator; or (vii) whose business practice, upon a determination
799 by the commission, is injurious to the policy objectives of this chapter.

800 Section 17. There shall be established and set up on the books of the commonwealth a
801 Sports Wagering Fund which shall receive revenues collected pursuant to sections 6 and 14. The
802 commission shall be the trustee of the fund and shall transfer monies from the fund as follows:

803 (1) 45 per cent to the General Fund;

804 (2) 17.5 per cent to the Workforce Investment Trust Fund established in section 18;

805 (3) 27.5 per cent to the Gaming Local Aid Fund established in section 63 of section 23K;

806 (4) 1 per cent to the Youth Development and Achievement Fund established in section
807 19; and

808 (5) 9 per cent to the Public Health Trust Fund established in section 58 of section 23K.

809 Section 18. (a) There is hereby established and set up on the books of the commonwealth
810 a separate fund to be known as the Workforce Investment Trust Fund. There shall be credited to
811 the fund any sports wagering revenue transferred from the Sports Wagering Fund pursuant to

812 section 16. Monies transferred to the fund shall be continuously expended, without regard for
813 fiscal year, exclusively for carrying out the purposes of this section. Money remaining in the
814 fund at the end of a fiscal year shall not revert to the General Fund.

815 (b) The fund shall be administered by the secretary of housing and economic
816 development. Money in the fund shall be competitively granted to develop and strengthen
817 workforce opportunities for low-income communities and vulnerable youth and young adults in
818 the commonwealth, including providing opportunities and strategies to promote stable
819 employment and wage growth.

820 (c) Eligible grant recipients shall provide opportunities which: (i) target at risk youth,
821 including resources to empower youth to succeed in the workforce; (ii) provide job skills
822 trainings, including programs offering trainings in multiple languages and areas for development,
823 including education and hands on skills; (iii) promote adult literacy, including strategies to
824 master reading and writing and providing digital formats to increase accessibility; and (iv)
825 provide English language learning programs to promote access to the workforce. The secretary
826 of housing and economic development shall establish criteria to evaluate applications for the
827 grant program; provided, that the criteria shall include, but shall not be limited to, at risk
828 populations; provided further, that preference shall be given to eligible grant recipients providing
829 opportunities for individuals who meet at least 2 of the following: (i) is under 30 years of age;
830 (ii) is a victim of violence; (iii) is over 18 years of age and does not have a high school diploma;
831 (iv) has been convicted of a felony; (v) has been unemployed or has had a family income below
832 250 per cent of the federal poverty level for not less than 6 months; (vi) lives in a census tract
833 where over 20 per cent of the populations fall below the federal poverty line; or (vii) is an
834 immigrant, refugee or person of color.

835 (d) Annually, not later than October 1, the secretary of housing and economic
836 development shall provide a report of the grants given and a breakdown of expenditures made by
837 the fund. The report shall be posted on the website of the executive office of housing and
838 economic development.

839 Section 18. There shall be established and set up on the books of the commonwealth a
840 fund to be known as the Youth Development and Achievement Fund. The fund shall be credited
841 any monies transferred from the Sports Wagering Fund pursuant to section 16 and all monies
842 credited to or transferred to the fund from any other fund or source. Expenditures from the fund
843 shall be subject to appropriation and shall be expended equally for the following purposes:

844 (1) For the purposes of providing financial assistance to students from the commonwealth
845 enrolled in and pursuing a program of higher education in any approved public or independent
846 college, university, school of nursing or any other approved institution furnishing a program of
847 higher education;

848 (2) For the purposes of funding after-school and out-of-school activities, including, but
849 not limited to, youth athletics and other activities that improve student health, literacy programs,
850 English language learning programs, academic tutoring, art, theater and music programs and
851 community service programs; and

852 (3) For the purposes of providing matching grants to elementary and secondary youth
853 sports, organizations, clubs and other school groups to attend events including, but not limited to,
854 academic events and programs, cultural events and award ceremonies both nationally and
855 internationally.

856 Section 20. The commission shall conduct a study into the feasibility of allowing retail
857 locations in the commonwealth to operate sports wagering kiosks. The study by the commission
858 shall include, but not be limited to, an analysis of: (i) the economic impact of this chapter on
859 retail establishments that serve alcoholic beverages for on premises consumption, such as
860 restaurants and bars; (ii) which retail locations have the ability to operate a sports wagering
861 kiosk; (iii) the economic impact to the commonwealth of authorizing retail locations to operate a
862 sports wagering kiosk; (iv) the methods and availability of payouts of winnings by a sports
863 wagering kiosks at retail locations; (v) the public health and safety impacts to the commonwealth
864 of authorizing retail locations to operate a sports wagering kiosk; (vi) the potential effect of
865 sports wagering kiosks at retail locations on problem gaming or gambling; (vii) the impact of
866 sports wagering kiosks at retail locations on minors; (viii) the economic impact of authorizing
867 this method of sports wagering on businesses owned by people of color; (ix) the public health
868 and economic impact of this method of sports wagering as an alternative to the current black
869 market, particularly in communities far from authorized in-person sports wagering; and (x)
870 recommendations to ensure diversity, equity and inclusion are included in this method of sports
871 wagering. As part of the study, the commission shall consult retailers, convenience stores,
872 restaurants, women and minority owned businesses and small business owners. The commission
873 shall report on its findings and submit any recommendations to the clerks of the house and
874 senate, the house and senate committees on ways and means, the joint committee on consumer
875 protection and professional licensure and the joint committee on economic development and
876 emerging technologies no later than December 31, 2022.

877 Section 21. (a) The commission may impose on any person who violates this chapter a
878 civil penalty not to exceed \$2,000 for each violation or \$5,000 for violations arising from the

879 same series of events. Such penalty shall be imposed on all persons and is not limited to persons
880 licensed under this chapter.

881 (b) The commission may condition, suspend, reprimand, assess a fine or revoke an
882 operator license upon a finding that a licensee: (i) has committed a criminal or civil offense
883 under this chapter or under any other laws of the commonwealth; (ii) is not in compliance with
884 sports wagering regulations; (iii) is under criminal investigation in another jurisdiction; (iv) has
885 breached a condition of licensure; (v) has affiliates, close associates or employees that are not
886 qualified or licensed under this chapter with whom the licensee continues to conduct business or
887 employ; (vi) is no longer capable of maintaining operations as a sports wagering operator or data
888 supplier; or (vii) whose business practice, upon a determination by the commission,
889 is injurious to the policy objectives of this chapter.

890 Section 21. (a) Whoever, other than an operator under this chapter, engages in accepting,
891 facilitating or operating a sports wagering operation shall be punished by imprisonment in the
892 house of correction for not more than 90 days or by a fine not to exceed \$10,000, or both; and for
893 a second offense, by imprisonment in the house of correction for not more than 6 months or by a
894 fine of not more than \$50,000, or both; and in the case of a third or subsequent violation by
895 imprisonment in the state prison for not less than 1 but not more than 5 years or by a fine of not
896 less than \$25,000 and not more than \$100,000, or both.

897 Section 22. An operator shall not discharge, demote, suspend, threaten, harass or in any
898 other manner discriminate against an employee because of any lawful act done by the employee
899 to provide information, cause information to be provided or otherwise assist in an investigation

900 regarding any conduct that the employee reasonably believes constitutes a violation of this
901 chapter.

902 Section 23. (a) The commission shall develop an annual research agenda in order to
903 understand the social and economic effects of sports wagering in the commonwealth and to
904 obtain scientific information relative to the neuroscience, psychology, sociology, epidemiology
905 and etiology of sports wagering. The secretary of health and human services, with the advice and
906 consent of the commission, may expend funds from the Public Health Trust Fund established in
907 section 58 of chapter 23K to implement the objectives of the sports wagering research agenda;
908 provided, however, that the objectives of the sports wagering research agenda shall, to the extent
909 practicable, be substantially similar to the objectives of the research agenda established under
910 section 71 of said chapter 23K. The sports wagering research agenda shall also include, but not
911 be limited to: (i) an assessment of whether problem sports wagering is comorbid with problem
912 gambling; (ii) an assessment as to whether the individuals participating in sports wagering are
913 different than those who participate in other forms of gaming or gambling; (iii) an assessment of
914 the impact of sports wagering on youth under the age of 25; (iv) an assessment of the impacts of
915 sports wagering on college athletics and professional sports; and (v) the costs of implementing
916 this chapter.

917 (b) Annually, the commission shall make scientifically-based recommendations that
918 reflect the results of the research under clause (a) to the clerks of the senate and house of
919 representatives, the senate and house committees on ways and means, the joint committee on
920 economic development and emerging technologies, the joint committee on mental health,
921 substance use and recovery and the joint committee on public health. The commission shall
922 consider any such recommendations, research and findings in all decisions related to enhancing

923 responsible gambling and mitigating problem sports wagering. The recommendations shall be
924 posted on the commission's website.

925 SECTION 6. Chapter 128C of the General Laws is hereby amended by inserting the
926 following new section:-

927 Section 9. Notwithstanding sections 1 to 8, inclusive, or any other general or special law
928 to the contrary, no racing meeting licensee, including licensees holding racing meetings in
929 connection with a state or county fair as defined in section 1 of chapter 128A, shall simulcast or
930 accept a wager on greyhound dog racing, and a running horse racing meeting licensee shall
931 conduct not less than 20 live racing days at a thoroughbred horse racing track, provided, the
932 commission may waive this requirement as necessary and appropriate to ensure the financial
933 ability of the licensee to develop and operate a race track.

934 SECTION 7. Section 1 of chapter 137 of the General Laws, as appearing in the 2018
935 Official Edition, is hereby amended by inserting after the figure "23K", in line 3, the following
936 words:- or sports wagering conducted pursuant to chapter 23N.

937 SECTION 8. Section 2 of said chapter 137, as so appearing, is hereby amended by
938 inserting after the figure "23K", in line 3, the following words:- or an operator who offers sports
939 wagering pursuant to chapter 23N.

940 SECTION 9. Section 3 of said chapter 137, as so appearing, is hereby amended by
941 inserting after the figure "23K", in line 7, the following words:- or sports wagering conducted
942 pursuant to chapter 23N.

943 SECTION 10. Section 1 of chapter 271 of the General Laws, as so appearing, is hereby
944 amended by striking out, in line 4, the words “chapter 23K” and inserting in place thereof the
945 following words:- chapters 23K and 23N.

946 SECTION 11. Section 2 of said chapter 271, as so appearing, is hereby amended by
947 striking out, in line 4, the words “chapter 23K” and inserting in place thereof the following
948 words:- chapters 23K and 23N.

949 SECTION 12. Section 3 of said chapter 271, as so appearing, is hereby amended by
950 striking out, in line 1, the words “chapter 23K” and inserting in place thereof the following
951 words:- chapters 23K and 23N.

952 SECTION 13. Section 5 of said chapter 271, as so appearing, is hereby amended by
953 striking out, in line 1, the words “chapter 23K” and inserting in place thereof the following
954 words:- chapters 23K and 23N.

955 SECTION 14. Section 5A of said chapter 271, as so appearing, is further amended by
956 inserting after the words “chapter 23K”, in line 32, the following words:- or sports wagering
957 conducted pursuant to chapter 23N.

958 SECTION 15. Section 5B of said chapter 271, as so appearing, is hereby amended by
959 striking out, in line 58, the words “chapter 23K” and inserting in place thereof the following
960 words:- chapters 23K and 23N.

961 SECTION 16. Section 8 of said chapter 271, as so appearing, is hereby amended by
962 striking out, in lines 10 to 11, the words “other game of chance that is not being conducted in a
963 gaming establishment licensed under chapter 23K” and inserting in place thereof the following

964 words:- other game that is not being conducted pursuant to chapter 23K and any other sports
965 wagering that is not being conducted pursuant to chapter 23N.

966 SECTION 17. Section 17 of said chapter 271, as so appearing, is hereby amended by
967 inserting after the words “chapter 23K”, in line 27, the following words:- or for the purpose of
968 sports wagering conducted in accordance with chapter 23N.

969 SECTION 18. Said chapter 271, as so appearing, is hereby further amended by striking
970 out section 17A and inserting in place thereof the following section:-

971 Section 17A. Except as permitted under chapter 23N, whoever uses a telephone, internet
972 or other communications technology or, being the occupant in control of premises where a
973 telephone, internet or other communications technology is located or a subscriber for such
974 communications technology, knowingly permits another to use a telephone, internet or other
975 communications technology so located or for which such person subscribes, as the case may be,
976 for the purpose of accepting wagers or bets, or buying or selling of pools, or for placing all or
977 any portion of a wager with another, upon the result of a trial or contest of skill, speed or
978 endurance of man, beast, bird or machine, or upon the result of an athletic game or contest, or
979 upon the lottery called the numbers game, or for the purpose of reporting the same to a
980 headquarters or booking office, or who under another name or otherwise falsely or fictitiously
981 procures telephone, internet or other communications technology service for oneself or another
982 for such purposes, shall be punished by a fine of not more than \$2,000 or by imprisonment for
983 not more than 1 year; provided, however, that this section shall not apply to use of telephones or
984 other devices or means to place wagers authorized pursuant to the provisions of section 5C of
985 chapter 128A.

986 SECTION 19. Section 19 of said chapter 271, as so appearing, is hereby amended by
987 inserting after the words "chapter 23K", in line 19, the following words:- and shall not apply to
988 advertising of sports wagering conducted pursuant to chapter 23N.

989 SECTION 20. Section 20 of said chapter 271, as so appearing, is hereby amended by
990 adding the following sentence:- Nothing in this section shall prohibit an operator licensed under
991 chapter 23N from posting, advertising or displaying materials relevant to its sports wagering
992 operations.

993 SECTION 21. Section 23 of said chapter 271, as so appearing, is hereby amended by
994 inserting after the words "chapter 23K", in line 31, the following words:- and shall not apply to
995 sports wagering conducted pursuant to chapter 23N.

996 SECTION 22. Section 27 of said chapter 271, as so appearing, is hereby amended by
997 inserting after the word "thereto", in line 15, the following words:- ; provided, however, that
998 such provisions shall not apply to sports wagering conducting pursuant to chapter 23N.

999 SECTION 23. Section 28 of said chapter 271, as so appearing, is hereby amended by
1000 inserting after the word "prescribed", in line 12, the following words:- ; provided, however, that
1001 such provisions shall not apply to sports wagering conducted pursuant to chapter 23N.

1002 SECTION 24. Section 42 of said chapter 271, as so appearing, is hereby amended by
1003 inserting after the word "both", in line 4, the following words:- ; provided, however, that such
1004 provisions shall not apply to sports wagering conducted pursuant to chapter 23N.

1005 SECTION 25. The Massachusetts gaming commission shall conduct a study on the
1006 participation by minority business enterprises, women business enterprises and veteran business

1007 enterprises in the sports wagering industry in the commonwealth. The study shall include, but not
1008 be limited to, an analysis of: (i) participation in activities related to the regulation, licensing and
1009 promotion of sports wagering operators; (ii) the level of participation of women, minority and
1010 veteran employees working for sports wagering licensees and employers; (iii) the level of
1011 participation by minority-owned and women-owned businesses that contract with or provide
1012 services to sports wagering licensees and employers; (iv) any barriers to employment of women
1013 and minorities in the sports wagering industry; and (v) methods for increasing racial and gender
1014 diversity in the workforce in the sports wagering industry, including whether to set reasonable
1015 and appropriate goals and procedures for increasing the number of minority business enterprises
1016 providing sports wagering industry-related services to sports wagering licensees and employers.
1017 The commission shall report on its findings and submit any recommendations to the clerks of the
1018 senate and house of representatives, the house and senate committees on ways and means, the
1019 joint committee on racial equity, civil rights, and inclusion and the joint committee on economic
1020 development and emerging technologies not later than December 31, 2022.

1021 SECTION 26. Section 135 of chapter 219 of the acts of 2016 is hereby repealed.

1022 SECTION 27. Sections 2 and 6 shall take effect 1 year after the effective date of this act.



CITY of GARDNER
Office of the City Clerk
95 Pleasant Street, Room 121
Gardner, MA 01440
*Tel. 978-630-4058 *Fax: 978-630-2589

CITY OF GARDNER
NOTICE OF JOINT PUBLIC HEARING

Pursuant to G.L. 40A, § 5, notice is hereby given that the City Council and Planning Board will conduct a **Joint Public Hearing** on **Monday, March 20, 2023 at 6:30 P.M.** in the City Council Chamber, Room 219, City Hall, 95 Pleasant Street, Gardner, to consider amending Chapter 675, the Zoning Code of the City of Gardner. The proposed Amendment involves changing items:

- **10891** – An Ordinance to Amend the Code of the City of Gardner, Chapter 675 Thereof, entitled “Zoning,” to Change the Classification of Certain Parcels of Land Along Route 140.
- **10892** – An Ordinance to Amend the Code of the City of Gardner, Chapter 675 thereof, entitled “Zoning,” to add “Sports Betting” to the Zoning Table of Uses.
- **10893** – An Ordinance to Amend the Code of the City of Gardner, Chapter 675 thereof, entitled “Zoning,” to Amend Section 1070 thereof, entitled, “Marijuana Establishments” to increase the quota allowed by the Code of the City of Gardner

Information regarding this amendment is available for viewing in the City Clerk’s Office, the Department of Community Development and Planning (DCDP), or on the City’s webpage – www.gardner-ma.gov.

All persons interested in this matter and desire to offer testimony are invited to attend the hearing.

Titi Siriphan
City Clerk



City of Gardner - Executive Department

Mayor Michael J. Nicholson

February 3, 2023

Hon. Elizabeth J. Kazinskas, Council President
 And City Councilors
 Gardner City Hall, Rm 121
 95 Pleasant St
 Gardner, MA 01440

RE: An Ordinance to Amend the Code of the City of Gardner, Chapter 675 thereof, entitled "Zoning," to amend Section 1070 thereof, entitled, "Marijuana Establishments" to increase the quota allowed by the Code of the City of Gardner.

Dear Madam President and Councilors,

As you are aware, in 2018, the retail sale of cannabis products became legalized in the Commonwealth.

When the City adopted the sale of Marijuana into our ordinances in November of 2018, the ordinances limited the number of establishments that could open in the City for the retail sale of cannabis to twenty percent (20%) of "license issues for retail sale of alcohol not consumed on the premises." (Code of the City of Gardner 675-1070(C)(8)(b)).

Whereas the City is currently issued ten (10) liquor licenses that fit this category, this provision of the City Code limited the number of retail cannabis locations to two (2) locations in the City.

One of the main reasons this quota limit was drafted was due to uncertainty as to how this new market would run its course in the City and the Commonwealth as a whole. However, since then, we have seen that these businesses do not provide a detriment to the City, and have seen the financial benefit the City receives from this as well.

The City currently has one retail location open with Sanctuary, with a second location – Bloc Cannabis – permitted at the Timpany Crossroads location.

This attached ordinance amendment proposal would increase the number of locations allowed in the City from two (2) to four (4). It is the belief of the Administration that this would allow more economic activity in the City based on inquiries that we have seen, keep the industry within a workable range that we are seeing in market trends with the cannabis industry around the Commonwealth, and done with the full support of our public safety departments.

Respectfully Submitted,

Michael J. Nicholson
 Mayor, City of Gardner

CC:
 City Council Public Welfare Committee
 Planning Board

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 675 THEREOF, ENTITLED "ZONING," TO AMEND SECTION 1070 THEREOF, ENTITLED, "MARIJUANA ESTABLISHMENTS" TO INCREASE THE QUOTE ALLOWED BY THE CODE OF THE CITY OF GARDNER.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDNER AS FOLLOWS:

SECTION 1: Subsection (C)(8)(b) of Section 1070 of Chapter 675 of the Code of the City of Gardner be amended by replacing "20%" with "35%" as follows:

- b) The number of marijuana retail establishments shall not exceed 35% of liquor licenses issued for retail sale of alcohol not consumed on the premises in the City of Gardner, said number to be rounded up to the next whole number;

SECTION 2: That this ordinance take effect upon passage and publication as required by law.

**CITY OF GARDNER POLICE DEPARTMENT**

200 Main Street
Gardner, Massachusetts 01440
Phone: (978) 632-5600
Fax: (978) 632-9045



Eric P. McAvene
Chief of Police

Nicholas P. Maroni
Deputy Chief of Police

February 2, 2023

The Honorable Michael J. Nicholson, Mayor
Gardner City Hall
95 Pleasant Street
Gardner, MA 01440

Re: Retail Marijuana Ordinance

Dear Mayor,

After reviewing the proposed ordinance change from two retail dispensary licenses to four, I do not see any issue with this particular change moving forward. Retail marijuana dispensaries have been operating in the state for the past few years and are closely monitored and regulated by the Cannabis Control Commission. Any retail dispensaries are required to have pre-determined surveillance camera coverage (inside and outside) and purpose-built safes for stored retail product. This is in addition to physical security during operating hours.

The Gardner Police Department has responded to calls at the current recreational retail dispensary, but the vast majority of the calls are general service calls (accidents, lockouts, burglar alarms, etc.). The police department rarely deals with anything else there.

We have conducted "compliance checks" at Sanctuary using underage youths to enter and purchase cannabis products. Sanctuary has never failed a compliance check. In fact, no youth has ever made it past the front door. I have spoken to law enforcement in other host dispensary locations and have not heard of any major issues.

If there are any further questions or concerns, please do not hesitate to contact me.

Very truly yours,

Eric P. McAvene
Chief of Police



City of Gardner
Department of Inspectional Services
115 Pleasant Street, Room 101
Gardner, MA 01440
Tel. (978) 630-4007 Fax: (978) 632-3313

Feb. 7, 2023

RE: Marijuana Retail Establishments

Dear Mr. Mayor,

I believe the text amendment regarding the number of Marijuana Retail Establishments will only increase opportunities in the City for revenue, and jobs. From a Zoning standpoint I have seen no ill effects from the existing Marijuana Facility. I currently have an application for a Building permit for a second facility which would leave us with no additional licenses. This would in effect tie our hands regarding further growth. I am in full support of this proposal.

Do not hesitate to contact me should you need any further assistance.

Roland Jean
Building Commissioner/Zoning Enforcement Officer
City Hall Annex
115 Pleasant St. RM 101
Gardner, MA 01440
(978) 630 4007
rjean@gardner-ma.gov

Mission Statement

To promote the safe and compatible development of the community through fair and consistent enforcement of building codes and zoning ordinances

Mayor

From: John Richard
Sent: Wednesday, February 1, 2023 11:14 AM
To: Mayor
Subject: Marijuana Fees History

Hi Mike

Here you go.

Description	2023 Actual	2022 Actual	2021 Actual	2020 Actual	2019 Actual
MARIJUANA HCA FEES	\$ 26,367.11	\$124,076.56	\$ 132,015.11	\$ 118,394.64	\$47,072.12
MARIJUANA SALES EXCISE TAX	\$104,773.64	\$237,668.25	\$ 306,969.74	\$ 383,850.54	\$50,330.46
TOTAL	\$131,140.75	\$361,744.81	\$ 438,984.85	\$ 502,245.18	\$97,402.58

John Richard
 City Auditor



95 Pleasant Street, Room 114
 Gardner, MA 01440-2630
 978-632-1900 ext 8020

Mayor

From: Ashley Metivier
Sent: Wednesday, February 1, 2023 11:04 AM
To: Mayor
Subject: Liquor Retail - Not Consumed on Premise

Hi Mike,

We have 10 locations licensed as retail sale, not consumed on premises:

Malt/Wine Packaged Goods

Town Convenience, 13 Pine St
BP, 221 Main St
South Gardner Mini Mart, 94 S. Main St
Jays Variety, 32 E. Broadway
Price Chopper, 500 Main St

All Alcohol Packaged Goods

Beauregard Liquors, 11 West St
Brazells, 201 Pleasant St
Hannaford, 14-20 Timpany Blvd
Gardner Spirits, 364 Timpany Blvd
Anthony's, 12 Pearson Blvd

Let me know if you need any more information!

Ashley Metivier
Administrative Assistant/License Commission Clerk
City of Gardner
95 Pleasant St, Room 29
Gardner, MA 01440
P: 978-630-4013 Ext: 8042
F: 978-632-4682
E: AMetivier@gardner-ma.gov

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Current
Ordinance

City of Gardner, MA
Friday, February 3, 2023

Chapter 675. Zoning

Article X. Supplemental Regulations

§ 675-1070. Marijuana establishments.

A. Purpose.

- (1) To provide for the placement of marijuana establishments in appropriate places and under conditions in accordance with the provisions of MGL c. 94G.
- (2) To minimize the adverse impacts of marijuana establishments on adjacent properties, residential neighborhoods, schools and other places where children congregate, local historic districts, and other sensitive land uses potentially incompatible with said establishments.
- (3) To regulate the siting, design, placement, security, safety, monitoring, modification, and discontinuance of marijuana establishments.

B. Applicability.

- (1) No marijuana establishment shall be established except in compliance with the provisions of § 675-410 (Schedule of permitted uses) and this § 675-1070 (Marijuana establishments).
- (2) Nothing in this section shall be construed to supersede federal and state laws governing the sale and distribution of Class 1 Controlled Substances.
- (3) If any provision of this section or the application of any such provision to any person or circumstance shall be held invalid, the remainder of this section, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this section are severable.

C. General requirements and conditions for all marijuana establishments.

- (1) All marijuana establishments shall be contained within a building or structure.
- (2) The hours of operation of marijuana establishments shall be set by the special permit granting authority.
- (3) No marijuana establishment property line shall be located within 500 linear feet of a lot line where the following districts, activity, or uses occur:
 - (a) (Reserved)^[1]

[1] *Editor's Note: Former Subsection C(3)(a), regarding nonconforming residential dwellings, was repealed 9-3-2019 by Ord. No. 1625.*
 - (b) Any church, public or private school or child-care facility; or place where minors frequent (e.g., a library, ball field, park, sports or family recreation facility, religious facility or the like);
 - (c) Any other marijuana establishment;
 - (d) Any drug or alcohol rehabilitation facility; or
 - (e) Any correctional facility, halfway house or similar facility.
- (4) No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a marijuana establishment.

- (5) No marijuana establishment shall be located inside a building containing residential units, including transient housing such as motels and dormitories, or inside a movable or mobile structure such as a van or truck.
- (6) Marijuana establishments shall provide the Gardner Police and Fire Departments, Building Commissioner, Board of Health, and the special permit granting authority with the names, phone numbers and e-mail addresses of all management staff and key holders to whom one can provide notice if there are operating problems associated with the establishment.
- (7) The City shall have access at any time to inspect the premises of the marijuana establishment to ensure compliance with local and state regulations, excluding client health information protected under the Health Insurance Portability and Accountability Act of 1996.
- (8) Pursuant to MGL c. 94G, § 3(a)(2)(i) to (iii), the maximum number of licensed marijuana establishments in the City shall be consistent with the following provisions:
 - (a) Shall not prohibit one or more types of marijuana establishment;
 - (b) The number of marijuana retail establishments shall not exceed 20% of liquor licenses issued for retail sale of alcohol not consumed on the premises in the City of Gardner, said number to be rounded up to the next whole number;
 - (c) The number of marijuana establishments shall not prevent the conversion of a medical marijuana treatment center licensed or registered no later than July 1, 2017, to a marijuana establishment engaged in the same type of activity.
[Amended 9-3-2019 by Ord. No. 1625]

D. Special permit requirements.

- (1) No special permit for any marijuana establishment shall be issued without site plan approval first having been obtained from the Planning Board, § 675-1010, Site plan review, of this chapter. In addition to the standards set forth within, the site plan must meet all dimensional, parking, landscaping, and signage requirements within this chapter.
- (2) A marijuana establishment shall only be allowed by special permit from the Gardner Planning Board in accordance with MGL c. 40A, § 9, subject to the following statements, regulations, requirements, conditions and limitations.
- (3) A special permit for a marijuana establishment shall be limited to one or more of the following uses that shall be specified by the special permit granting authority:
 - (a) Marijuana cultivator;
 - (b) Marijuana product manufacturer;
 - (c) Marijuana retailer;
 - (d) Marijuana testing facility;
 - (e) Marijuana transportation or distribution facility; and
 - (f) Any other type of licensed marijuana-related business.
- (4) In addition to the application requirements set forth above, a special permit application for a marijuana establishment shall include the following:
 - (a) The name and address of each owner of the establishment;
 - (b) Copies of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts Cannabis Control Commission and any of its other agencies for the establishment;
 - (c) Evidence of the applicant's right to use the site of the establishment for the establishment, such as a purchase and sale agreement, deed, owner's authorization, or lease;
 - (d) Proposed security measures for the marijuana establishment, including lighting, fencing, gates and alarms, etc., to ensure the safety of persons and to protect the premises from theft. A letter

from the City of Gardner Police Chief, or designee, acknowledging review and approval of the marijuana establishment security plan is required. To the extent allowed by law, all such documents shall be confidential.

- (5) Mandatory findings. The special permit granting authority shall not issue a special permit for a marijuana establishment unless it finds that:
 - (a) The establishment is designed to minimize any adverse impacts on abutters and other parties in interest, as defined in MGL c. 40A, § 11.
 - (b) The establishment demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will comply with all applicable state laws and regulations; and
 - (c) The applicant has satisfied all the conditions and requirements set forth herein.
- (6) A special permit granted under this section shall have a term limited to the duration of the applicant's ownership or leasehold of the premises as a marijuana establishment. A special permit may be transferred only with the approval of the special permit granting authority in the form of an amendment to the special permit with all information required in this § 675-1070.

E. Abandonment or discontinuance of use.

- (1) A special permit shall lapse if not exercised within one year of issuance.
- (2) A marijuana establishment shall be required to remove all personal property, including but not limited to all material, plants, equipment, accessories, paraphernalia, and any other property no later than the earliest of:
 - (a) Prior to surrendering its state-issued licenses or permits; or
 - (b) Within six months of ceasing operations.