HOUSE DOCKET, NO. 1271 FILED ON: 1/20/2011

HOUSE . . . . . No. 1770

The Commonwealth of Massachusetts

PRESENTED BY:

Ronald Mariano

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act establishing minimum wind turbine setbacks from the Granite Links Golf Course and facilities constructed on the closed former city of Quincy and town of Milton municipal landfill sites.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Ronald Mariano	*3rd Norfolk*
Bruce J. Ayers	*1st Norfolk*
Tackey Chan	*2nd Norfolk*

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By Mr. Mariano of Quincy, a petition (accompanied by bill, House, No. 1770) of Ronald Mariano, Bruce J. Ayers and Tackey Chan relative to establishing minimum wind turbine setbacks from the Granite Links Golf Course and facilities constructed on the closed former city of Quincy and town of Milton municipal landfill sites. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

An Act establishing minimum wind turbine setbacks from the Granite Links Golf Course and facilities constructed on the closed former city of Quincy and town of Milton municipal landfill sites.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to preserve the benefits conferred upon the general public through the continued, uninterrupted and undisturbed operation of the Quarry Hills Project and Granite Links Golf Course as designed and constructed, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. The City of Quincy and the Town of Milton have entered into long term leases with Quarry Hills Associates, Inc., where under Quarry Hills (a) constructed Granite Links, a 27-hole professional level golf course, open to the public, upon closed municipal landfills utilizing fill from the Central Artery/Ted Williams Tunnel Project, (b) protected the Massachusetts Hornfels-Braintree Slate Quarry and 19th Century Lyon's Turning Mill, both which are listed on the National Register of Historic Places, (c) reconstructed the Furnace Brook Parkway Exit at Route 93, (d) reconstructed Ricciuti Drive, a public way, (e) constructed a public athletic complex upon an abandoned landfill owned by the former Metropolitan District Commission, (e) deeded land at Milton Assessor's Map I, Block 38C, Lot 20 to the Town of Milton, (f) paid $300,000 to the Town of Milton to construct high school athletic fields, (g) constructed a hiking and horseback riding trail to and from the Blue Hills Reservation, and (h) filled the Swingles and Granite Rail Quarries, the site of numerous accidental fatalities. Quarry Hills bears the continued burden of maintaining the closed landfills for the remaining terms of the leases, and constructed a 43,000 square foot club house, with public restaurant and function facilities. The golf course and facilities have pastoral panoramic views of the protected Blue

Hills Reservation. The golf course and facilities are available for public access and play, and Quarry Hills hosts specified public and charitable uses of the golf course and facilities. A specified percentage of annual revenues generated by the golf course and facilities is paid to the City of Quincy and the Town of Milton, as is set forth in each respective municipal lease.

SECTION 2. It is in the general public interest that the public benefits enumerated at Section One of this act, be maintained, without interruption or threat of interruption or degradation, for the full course of the municipal leases entered into between Quarry Hills and both the City of Quincy and the Town of Milton. The construction, maintenance or operation of a wind turbine which is closer than 3,000 feet to the golf course and facilities, would disrupt and disturb the use of the golf course and facilities, for the uses enumerated at Section One of this act. Such disruption and disturbance would result from mechanical and aerodynamic sound and vibration, visual distraction resulting from rotor movement and shadow effects, and impairment of views of the Blue Hills Reservation.

SECTION 3. No person, or private or public entity, shall construct, maintain or operate a wind turbine closer than 2,640 feet to the Granite Links golf course leasehold, during the term or any extension term of either of the municipal leases entered into between Quarry Hills and the City of Quincy and the Town of Milton.

SECTION 4. No city or town shall be permitted to make a taking of any portion of the Quarry Hills leasehold for the purpose of constructing, maintaining, accessing or operating a wind turbine, regardless of the location of said wind turbine, during the term or any extension term of either of the municipal leases entered into between Quarry Hills and the City of Quincy and the Town of Milton.

SECTION 5. This act shall take effect upon passage.