

**HOUSE . . . . . No. 4140**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*James Arciero and John J. Cronin*

*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 adoption of the accompanying bill:

An Act authorizing the conservation commission of the town of Westford to transfer certain easements to the select board of the town of Westford.

PETITION OF:

| NAME:                 | DISTRICT/ADDRESS:              | DATE ADDED:       |
|-----------------------|--------------------------------|-------------------|
| <i>James Arciero</i>  | <i>2nd Middlesex</i>           | <i>10/3/2023</i>  |
| <i>John J. Cronin</i> | <i>Worcester and Middlesex</i> | <i>10/19/2023</i> |

**HOUSE . . . . . No. 4140**

By Representative Arciero of Westford and Senator Cronin, a joint petition (accompanied by bill, House, No. 4140) of James Arciero and John J. Cronin (by vote of the town) for legislation to authorize the conservation commission of the town of Westford to transfer certain easements to the select board of said town. Municipalities and Regional Government. [Local Approval Received.]

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act authorizing the conservation commission of the town of Westford to transfer certain easements to the select board of the town of Westford.

*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. (a) Notwithstanding any general or special law to the contrary, the  
2 conservation commission of the town of Westford may transfer to the select board of the town  
3 permanent easements and temporary easements adjacent to Boston road on property currently  
4 managed and controlled by the conservation commission for conservation purposes. The  
5 easements shall be dedicated by the select board for the purposes of repairing, reconstructing,  
6 operating, maintaining or improving Boston road, including, but not limited to, guy wire and  
7 overhead wire placement, grading, clearing and grubbing, loaming and seeding and future  
8 maintenance.

9 (b) The easements authorized to be transferred under this section are located on  
10 property identified on the town of Westford assessor’s map 21, lot 109-1 and described in a deed  
11 recorded with the Middlesex north registry of deeds in book 7473, page 318. The easements are

12 shown on a plan of land entitled “Massachusetts Department of Transportation Highway  
13 Division Plan and Profile Boston Road,” revised through \_\_\_\_\_, as follows:  
14 “PARCEL PUE-6” containing 89 square feet, more or less, “PARCEL PUE-7” containing 78  
15 square feet, more or less, “PARCEL PUE-9” containing 77 square feet, more or less, “PARCEL  
16 PUE-12” containing 194 square feet, more or less, “PARCEL TE-35” containing 868 square feet,  
17 more or less, “PARCEL TE-43” containing 431 square feet, more or less, “PARCEL TE-46”  
18 containing 291 square feet, more or less, “PARCEL TE-47” containing 524 square feet, more or  
19 less, and “PARCEL TE-48” containing 392 square feet, more or less. Prior to finalizing the  
20 transfer authorized under this section, the town may make minor modifications to the plan and  
21 easement areas in order to carry out the purposes of this act.

22 SECTION 2. As consideration for the transfer authorized under section 1, the town of  
23 Westford shall: (i) dedicate other land of equal or greater size and natural resource value, to be  
24 held by the conservation commission of the town for conservation and recreation purposes: (ii)  
25 transfer funds, the value of such compensation to be the full and fair market value of the  
26 easements as determined via an independent appraisal; or (iii) provide a combination of land and  
27 funds equal to or greater than the value of the easements. Any funds transferred under this  
28 section shall be deposited in a fund dedicated to conservation of land in the town.

29 SECTION 3. This act shall take effect upon its passage.