

HOUSE No. 4385

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 town of Westford to release agricultural preservation restrictions over land owned by Westford Gateway, LLC..

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James Arciero</i>	<i>2nd Middlesex</i>	<i>1/10/2024</i>

HOUSE No. 4385

By Representative Arciero of Westford and Senator Cronin, a joint petition (subject to Joint Rule 12) of James Arciero (by vote of the town) that the town of Westford be authorized to release agricultural preservation restrictions over certain land owned by Westford Gateway, LLC. State Administration and Regulatory Oversight. [Local Approval Received.]

The Commonwealth of Massachusetts

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

An Act authorizing the town of Westford to release agricultural preservation restrictions over land owned by Westford Gateway, LLC..

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 town of
2 Westford may execute a certificate of release over so much of the agricultural preservation
3 restrictions granted to the Inhabitants of the town of Westford, Middlesex county (north district),
4 Massachusetts by Keith A. Bohne and Nanci Bohne as lies within the limits of lands to be
5 acquired by the Massachusetts department of transportation in connection with the rehabilitation
6 of Boston road in Westford, Massachusetts. The agricultural preservation restrictions are
7 described in three granting instruments recorded with Middlesex county (north district) registry
8 of deeds in book 8569, page 242 on May 15, 1997, book 9155, page 153 on March 26, 1998, and
9 book 10124, page 169 on May 3, 1999; and are shown on the Compiled Plan of Land, 66 Boston
10 road, Westford, Massachusetts, May 6, 1997, recorded in plan book 194, page 7 of the

11 Middlesex county (north district) registry of deeds. The transfer of such land shall be subject to
12 and completed in accordance with the requirements of these acts.

13 (b) The lands over which the certificate of release shall apply are located along the
14 northeasterly side of Boston road and shown as parcels 20-E-1, 20-GR-PUE-2, 20-PUE-14, 20-
15 TE-13, 20-TE-18, 20-TE-20, 20-TE-21, 20-TE-22, and 20-TE-24 on a preliminary right of way
16 plan entitled "Massachusetts Department of Transportation, Plan and Profile, Boston road in the
17 town of Westford, Middlesex county, Scale 1" = 200' " except as otherwise noted, to be filed
18 with the Chief Engineer of the highway division of the Massachusetts department of
19 transportation, and to be recorded with the Middlesex county (north district) registry of deeds.

20 (c) All parcels to be used temporarily for this construction project shall be restored to
21 their condition prior to the construction project to protect the conservation values of the
22 surrounding lands.

23 SECTION 2. As consideration for the transfer authorized by Section 1 herein, the
24 Massachusetts department of transportation shall: (i) dedicate other land of equal or greater size
25 and natural resource value to be held by the Westford conservation commission for conservation
26 and recreation purposes; (ii) transfer funds, the value of such compensation to be the full and fair
27 market value of the property interests transferred pursuant to Section 1 as determined by
28 appraisal; or (iii) provide a combination of land and funds equal or greater to the value of the
29 property interest released. Any funds transferred under this section shall be deposited in a fund
30 dedicated to conservation of land in the town of Westford.

31 SECTION 3. The Massachusetts department of transportation shall assume all costs
32 associated with engineering, surveys, appraisal, deed preparation and other expenses necessary to
33 execute the conveyances authorized by this act.

34 SECTION 4. Except as partially released in accordance with this act, the above-
35 referenced agricultural preservation restriction shall remain in full force and effect.

36 SECTION 5. This act shall take effect upon its passage.