# HOUSE . . . . . No. 4432

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 3, 2022.

The committee on Ways and Means, to whom was referred the Bill authorizing the town of Westford Select Board to dedicate two parcels of land currently held by the conservation commission for the Beaver Brook Road Bridge improvement project (House, No. 4076), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4432) [Local Approval Received].

For the committee,

AARON MICHLEWITZ.

FILED ON: 2/3/2022

# HOUSE . . . . . No. 4432

## The Commonwealth of Massachusetts

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

An Act authorizing the town of Westford select board to utilize portions of two parcels of land currently held by the conservation commission for the Beaver Brook road bridge improvement project.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the transfer of a permanent and temporary easement in the town of Westford, 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. (a) Notwithstanding any general or special law to the contrary, the conservation commission of the town of Westford may transfer to the Westford select board a permanent easement and a temporary easement adjacent to Beaver Brook road on property currently managed and controlled by the Westford conservation commission for conservation and recreation purposes. Both easements shall be dedicated by the select board for the purposes of repairing, reconstructing, operating, maintaining or improving a bridge on said road, including, but not limited to, slope stabilization, guy wire and overhead wire placement, rip rap and erosion control and future maintenance.

(b) The easements authorized to be transferred are located on property identified on assessor's map 20, lot 16, and described in a deed recorded with the Middlesex north registry of

deeds in book 3713, page 328. The easements are shown on a plan of land entitled "Massachusetts Department of Transportation Highway Division Plan and Profile of Beaver Brook Road (Bridge No. W-26-014)," revised through March 19, 2021, as follows: "PARCEL PUE-S-2" containing 1,729 square feet, more or less, and "PARCEL TE-4" containing 1,620 square feet, more or less. Prior to finalizing the transaction herein, the town of Westford may make minor modifications to the plan and easement areas in order to carry out the purposes of this act.

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