

SENATE No. 2777

The Commonwealth of Massachusetts

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

SENATE, March 21, 2022.

The committee on Senate Ways and Means to whom was referred the House Bill 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 (House, No. 4432); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2777; and by striking out before the enacting clause the emergency preamble.

For the committee,
Michael J. Rodrigues

The Commonwealth of Massachusetts

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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 a
3 permanent easement and a temporary easement adjacent to Beaver Brook road on property
4 currently managed and controlled by the conservation commission for conservation and
5 recreation purposes. Both easements shall be dedicated by the select board for the purposes of
6 repairing, reconstructing, operating, maintaining or improving a bridge on the road, including,
7 but not limited to, slope stabilization, guy wire and overhead wire placement, rip rap and erosion
8 control and future maintenance.

9 (b) The easements authorized to be transferred under this section are located on property
10 identified on the town of Westford assessor’s map 20, lot 16 and described in a deed recorded
11 with the Middlesex north registry of deeds in book 3713, page 328. The easements are shown on
12 a plan of land entitled “Massachusetts Department of Transportation Highway Division Plan and
13 Profile of Beaver Brook Road (Bridge No. W-26-014),” revised through March 19, 2021, as
14 follows: “PARCEL PUE-S-2” containing 1,729 square feet, more or less, and “PARCEL TE-4”
15 containing 1,620 square feet, more or less. Prior to finalizing the transfer authorized under this
16 section, the town may make minor modifications to the plan and easement areas in order to carry
17 out the purposes of this act.

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

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