

SENATE No. 3169

The Commonwealth of Massachusetts

PRESENTED BY:

Cindy F. Friedman

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 Massachusetts Department of Transportation to take easements over certain land located in the city of Woburn and the town of Burlington held in trust by the city of Boston for the Mary P. C. Cummings Testamentary Trust.

PETITION OF:

NAME:

Cindy F. Friedman

DISTRICT/ADDRESS:

Fourth Middlesex

SENATE No. 3169

By Ms. Friedman, a petition (accompanied by bill, Senate, No. 3169) (subject to Joint Rule 12) of Cindy F. Friedman for legislation to authorize the Massachusetts Department of Transportation to take easements over certain land located in the city of Woburn and the town of Burlington held in trust by the city of Boston for the Mary P. C. Cummings Testamentary Trust. Transportation.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act authorizing the Massachusetts Department of Transportation to take easements over certain land located in the city of Woburn and the town of Burlington held in trust by the city of Boston for the Mary P. C. Cummings Testamentary Trust.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the commonwealth of Massachusetts, acting by and through its department of transportation to take certain easements for highway purposes, to support the intersection improvement project being undertaken by the commonwealth at the intersection of Cambridge Road at South Bedford Street and Bedford Road in Woburn and Burlington, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

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. Pursuant to section 5A of chapter 3 of the general laws, notwithstanding
2 any general or special law to the contrary, the commonwealth of Massachusetts, acting by and
3 through its department of transportation, may take for highway purposes, certain parcels of land
4 located in Woburn and Burlington, held in trust by the city of Boston department of Treasury,
5 being temporary construction areas of 4,603 square feet and permanent easements of 8,917
6 square feet and shown on a plan of land entitled, “Massachusetts Department of Transportation

7 Highway Division Intersection Improvement Project Cambridge Road at South Bedford Street
8 and Bedford Road in the city and town of Woburn/Burlington, Middlesex County Preliminary
9 Right of Way Plans”, to be filed with the chief engineer of the highway division of the
10 Massachusetts Department of Transportation and recorded with the Middlesex north registry of
11 deeds.

12 SECTION 2. In anticipation of and as planned mitigation for the takings described in
13 section 1 of this act, and to ensure no net loss of land subject to article 97 of the amendments to
14 the constitution of the commonwealth, during the May 25, 2025 approval of a special permit to
15 Jumbo Self Storage, LLC - Jumbo Capital Management for land being located at 7 Wheeler
16 Road in Burlington, Massachusetts and shown on Assessor's Map 52 as Parcels 4 and 6, the town
17 of Burlington required that land be set aside for future improvements to the intersection of
18 Cambridge Road at South Bedford Street and Bedford Road to satisfy Article 97. The town of
19 Burlington further accepted a conservation restriction from Wheeler Self Storage, LLC on the
20 Wheeler Road property containing approximately 9 acres, recorded with the Middlesex south
21 registry of deeds at Book 78014, Page 433. As described in conditions G and H of that certain
22 special permit decision granted by the town of Burlington planning board recorded with the
23 Middlesex south registry of deeds at book 71169 and page 469, said conveyance was specifically
24 intended to be mitigation for the transfer described in section 1.

25 SECTION 3. The department of transportation shall assume all costs associated with
26 engineering, surveys, appraisals, deed preparation and other expenses necessary to execute the
27 takings authorized by this act.

28 SECTION 4. This act shall take effect upon its passage.