

SENATE No. 2657

The Commonwealth of Massachusetts

PRESENTED BY:

William J. Driscoll, Jr.

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 Commonwealth of Massachusetts, acting by and through its Division of Capital Asset Management and Maintenance, to grant permanent easements over certain land in the town of Milton for highway purposes.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>William J. Driscoll, Jr.</i>	<i>Norfolk, Plymouth and Bristol</i>	
<i>Richard G. Wells, Jr.</i>	<i>7th Norfolk</i>	<i>10/21/2025</i>

SENATE No. 2657

By Mr. Driscoll, a petition (accompanied by bill, Senate, No. 2657) (subject to Joint Rule 12) of William J. Driscoll, Jr. for legislation to authorize the Commonwealth of Massachusetts, acting by and through its Division of Capital Asset Management and Maintenance, to grant permanent easements over certain land in the town of Milton for highway purposes. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

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

An Act authorizing the Commonwealth of Massachusetts, acting by and through its Division of Capital Asset Management and Maintenance, to grant permanent easements over certain land in the town of Milton for highway purposes.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the commissioner of capital asset management and maintenance, in consultation with the commissioner of conservation and recreation, to grant certain easements to the Massachusetts department of transportation for highway purposes to support the intersection improvement project being undertaken by the commonwealth at the intersection of Randolph Avenue (state highway 28) and Chickatawbut Road, 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. Notwithstanding sections 32 to 38, inclusive, of chapter 7C of the General
2 Laws or any general or special law to the contrary, the commissioner of the division of capital
3 asset management and maintenance, in consultation with the commissioner of the department of
4 conservation and recreation, may transfer to the department of transportation for highway
5 purposes certain portions of land under the care and control of the department of conservation
6 and recreation and located in the town of Milton and identified as permanent easement parcel

7 numbers 8-E-3, 8-E-4, 8-HL-1, 8-HL-2, 8-HL-3, 8-HL-PUE-4, 8-HS-1, 8-W-4, 8-D-1, and 8-
8 PUE-W-5 on a plan of land entitled, "Massachusetts Department of Transportation Highway
9 Division Plan and Profile of Reconstruction of Randolph Avenue (Route 28) at Chickatawbut
10 Road in the town of Milton, Norfolk County, Preliminary Right of Way Plans," which plan is on
11 file with the department of transportation.

12 SECTION 2. As mitigation for the transfers authorized in section 1, the department of
13 transportation shall compensate the department of conservation and recreation in an amount not
14 less than 110 percent of the fair market value or value in use of the impacted lands, whichever is
15 greater, as determined by an independent appraisal, completed pursuant to section 3 of this act.
16 The department of conservation and recreation shall deposit such funds into the Conservation
17 Trust established in section 1 of chapter 132A of the General Laws and shall expend such funds
18 within 3 years to acquire land or interests in land which it shall permanently hold and manage for
19 conservation and recreation purposes, which shall be in a comparable location to, of equal or
20 greater natural resource value as determined by the secretary of energy and environmental
21 affairs.

22 SECTION 3. The value of the property described in section 1 shall be as determined by
23 an independent professional appraisal prepared in accordance with the usual and customary
24 professional appraisal practice by a qualified appraiser commissioned by the commissioner of
25 capital asset management and maintenance, in consultation with the commissioner of
26 conservation and recreation. The department of transportation shall compensate the
27 commonwealth in an amount not less than 110 percent of the full and fair market value, or the
28 value in use of the parcels to be transferred, whichever is greater, as determined by the
29 independent appraisals.

30 The commissioner of capital asset management and maintenance shall submit the
31 appraisal and a report thereon to the inspector general for review and comment. The inspector
32 general shall review and approve the appraisal, and the review shall include an examination of
33 the methodology utilized for the appraisal. The inspector general shall prepare a report of the
34 review and file the report with the commissioner of capital asset management and maintenance,
35 and the commissioner shall submit copies of the appraisal, the report thereon and the inspector
36 general's review and approval and comments, if any, to the house and senate committees on
37 ways and means and the senate and house chairs of the joint committee on state administration at
38 least 15 days prior to the execution of the conveyance authorized in section 1 of this act.

39 SECTION 4. The department of transportation shall assume all costs associated with
40 engineering, surveys, appraisals, deed preparation and other expenses necessary to execute the
41 conveyances authorized by this act.

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