



Department of Public Works – Engineering Division

Town Hall, 365 Boston Road, Billerica, Massachusetts 01821
PH: (978) 671-1300

Frederick W. Russell, PE, Director
Kelley J. Conway, PE, Town Engineer

April 8, 2025

Rebecca Tepper, Secretary
Executive Office of Energy & Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: Article 97 – Replacement Land Waiver Request
Town of Billerica - Yankee Doodle Bike Path

Dear Secretary Tepper:

In accordance with the provisions of M.G.L. c. 3, § 5A, the Town of Billerica respectfully requests a waiver from the replacement land requirement associated with the construction of the Yankee Doodle Bike Path across land subject to Article 97.

The subject land is currently under the care and custody of the Town of Billerica Conservation Commission and the Town seeks to execute agreements between the Select Board and the Conservation Commission for temporary construction access and permanent easements to facilitate construction and maintenance of the bike path and related appurtenances.

It is important to note that the proposed land disposition involves a transfer between public entities, and there is no change in the use of the land. Therefore, the Town respectfully requests that the requirement for replacement land be waived in this instance.

Description of Article 97 Land:

The Yankee Doodle Bike Path project impacts three (3) properties under the jurisdiction of the Billerica Conservation Commission, subject to Article 97. These properties are located within the Shady Hill and The Fields Conservation Lands and are described as follows:

1. The Fields – Assessor's Parcel 78-282-1-1
Legal Reference: Bk 3851/Pg 267, Plan Bk 157, Plan 101
Size: 31.1 acres

2. The Fields – Assessor's Parcel 87-249-2
Legal Reference: Bk 10217/Pg 131, Plan Bk 151, Plan 8
Size: 2.56 acres
3. Shady Hill – Parcel 87-258-1
Legal Reference: Bk 2285/Pg 656
Size: 4.39 acres

These properties are situated west of Middlesex Turnpike, bordered by industrial properties to the north, Route 3 to the west, and abutting conservation and residential properties to the south and east. The affected properties primarily consist of a mix of woodland and vegetated wetlands, with an abandoned railroad bed traversing the property. Existing walking/biking trails also traverse these parcels. The alignment of the former Boston and Maine Railroad is noted on the attached "Plan of Land in Billerica Mass." prepared for William J. Callahan (Scale 1" = 100') prepared by BSC Bedford.

Project Description:

The Town of Billerica, in collaboration with the Massachusetts Department of Transportation (MassDOT), is advancing the Yankee Doodle Bike Path project. This multi-use, non-motorized, accessible path is proposed to be 10 feet wide and will connect the Narrow-Gauge Trail in Bedford to the Billerica Memorial High School.

The project will be implemented in two phases:

- Phase 1: Extending from the Bedford Town line to the intersection of Concord Road and Middlesex Turnpike.
- Phase 2: Continuing from Concord Road to the Billerica Memorial High School.

The approximately 4-mile bike path will provide a vital transportation link from Billerica to Arlington, connecting the Minuteman Bikeway in Bedford via the Narrow-Gauge Bikeway. It will also enhance access to educational, recreational, and conservation areas in the southern part of town.

The path will follow the former railroad bed and existing trails to minimize environmental impacts. Proposed activities in the Conservation Lands include:

- The Fields: Construction of the shared use path, a permeable pavement parking lot, grass swales, loam and seed shoulders, wood railings, grading, clearing, grubbing, and installation of erosion control barriers.

- Shady Hill: Construction of a compensatory floodplain storage area, loam and seed, slope grading, clearing, grubbing, and installation of erosion control barriers.

Agreements for temporary construction access areas and permanent easements are necessary for construction and future maintenance. These areas have been minimized to the maximum extent practicable after review and coordination with MassDOT.

For reference, an *Overview Summary Plan* has been provided showing the proposed locations of the permanent easements and temporary construction access areas on the Conservation Commission properties, as well as a copy of the detailed *Preliminary Right of Way Plans* showing the individual easement and temporary construction access areas.

Alternatives Analysis:

The *Alternatives Analysis* demonstrates that no substantially equivalent route exists that avoids or minimizes impacts to the subject land. The selected route utilizes the existing railroad bed, aligning with existing trails to minimize environmental impacts while providing the most feasible connection to the regional bike path network.

Conclusion:


The Town's acquisition of the property was aligned with the goal of promoting natural resources, and the basic infrastructure for the bike path – the former railroad bed – was already in place at the time of acquisition. The development of the path will enhance public access along existing trails without significantly altering or disturbing the surrounding natural resources, in keeping with the Town's original purpose for acquiring the land. Furthermore, the proposed land disposition involves a transfer between public entities, with no change in the land's use.

Attached please find the following documents to aid in review and consideration of this waiver request:

- GIS Locus Map
- Deeds and Plans of Land for Article 97 Land
- Overview Summary Plan
- Construction/Right of Way Plan
- Alternatives Analysis

Thank you for your consideration of this request. Should you require further information or clarification, please do not hesitate to contact Kelley Conway in my office.

Sincerely,



Frederick Russell, PE
Director of Public Works