



Maura Healey, Governor  
Kimberley Driscoll, Lieutenant Governor  
Monica Tibbitts-Nutt, Secretary & CEO  
Jonathan L. Gulliver, Highway Administrator



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

THROUGH: Kurt Gaertner, Asst. Secretary for Environmental Policy

FROM: John DeLeire, Director of the Right of Way Bureau  
Massachusetts Department of Transportation  
10 Park Plaza, Suite 7160  
Boston, MA

DATE: July 25, 2024

RE: PLPA Alternative Analysis and Replacement Land Waiver Request  
Rehabilitation of Boston Road in Westford, Massachusetts  
Westford Gateway, LLC – Agricultural Preservation Restriction

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### **Public Lands Preservation Act (PLPA) – Alternatives Analysis:**

In accordance with the Executive Office of Energy and Environmental Affairs (EEA) and the Guidance on Public Lands Preservation Act (PLPA) Implementation issued in February 2023, the Massachusetts Department of Transportation (MassDOT) issues the following alternatives analysis as required by the PLPA for the change of use of land related to the proposed rehabilitation of Boston Road in Westford (the "Project"). The purpose of the alternatives analysis is to demonstrate that no feasible or substantially equivalent alternative exists that avoids or further minimizes impacts to the public land adjacent to the project site subject to Article 97 of the Massachusetts Constitution.

#### **(i) Explain the Proposed Article 97 Action and Identify the Public Purpose that it will Serve**

The Town of Westford, in conjunction with Massachusetts Department of Transportation – Highway Division (MassDOT), is proposing vehicular, bicycle,

and pedestrian safety improvements along Boston Road from Main Street to the on-ramps to Interstate 495 Southbound. In addition to improving safety for all users within the project area, there are proposed utility upgrades to the existing water and drainage systems. Additional improvements include pavement resurfacing, full-depth roadway reconstruction and widening, flush traffic calming medians, sidewalk construction, granite curb, new pavement markings and signing.

The corridor includes the property identified as 66-68 Boston Road which is owned by Westford Gateway, LLC ("Property"). An Agricultural Preservation Restriction (APR) has been placed on this Property and is held by the Town of Westford. This safety improvement Project involves unavoidable impacts along the frontage of this Property including impacts for proposed layout alteration, sidewalk accommodations, and permanent easements for guardrail, utility pole, guy wire and overhead utilities. Further, temporary easements are also required to facilitate construction. Access to these parcels for this Project has been secured by a License signed by the Property Owner, the Town of Westford and MassDOT.

**(ii) Identify the Alternatives Considered**

The following alternative was considered and evaluated:

Eliminate property owned by Westford Gateway, LLC subject to Agricultural Preservation Restrictions held by the Town of Westford from the Project.

**(iii) Describe Why Each Alternative Not Selected is Not Feasible or Substantially Equivalent to the Proposed Article 97 Action**

The goal of the Project is to improve safety along the Boston Road corridor for pedestrians, bicyclists and vehicles. If the Project does not include the land owned by Westford Gateway, LLC subject to Agricultural Preservation Restrictions in favor of the Town of Westford, it will interfere with the continuity and success of the Project. Specifically, this land is critical for the following: Boston Road layout alteration, sidewalk and guardrail installation, clearing, grubbing, sloping, loaming, grading and seeding.

**Public Lands Preservation Act (PLPA) – Funding in Lieu Request:**

MassDOT respectfully requests that the Secretary make findings to allow it to provide funding in lieu of replacement land for the project consistent with M.G.L. c. 3, § 5A.

**(i) Significant Public Interest**

The Project serves a significant public interest in that it will improve safety along the Boston Road corridor in Westford for pedestrians, bicycles, and vehicles.

**(ii) Environmental Justice Population Analysis**

MassDOT completed an Environmental Justice (EJ) Population assessment and analysis in conjunction with this Project and determined that there are Environmental Justice populations within 2 miles and 5 miles of the project site. However, there are no Environmental Justice populations within 1 mile of the project site. The Project is a roadway improvement project, with no added capacity, and will not adversely affect any of the populations aside from the minor inconveniences during the construction phase; therefore, this project is not anticipated to negatively impact any Environmental Justice populations.

Funding in Lieu allows the protected Agricultural Preservation Restriction holder, in this case the town of Westford, the ability to purchase multiple smaller parcels of land or pool funds to target larger, more useful tracts of land.

**Public Lands Preservation Act (PLPA) – Public Notice**

MassDOT, in conjunction with the Town of Westford, posted Notice of this Request as required by the PLPA.

Thank you for considering this request. We look forward to hearing from you.