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DETERMINATION OF NATURAL RESOURCE VALUE

PROJECT: Proposed Disposition of Land at Mary Cummings Park in Woburn and Burlington for Highway Purposes
MUNICIPALITY: Woburn & Burlington
EEA FILE NUMBER: A97_022_347
PROJECT PROPONENT: Massachusetts Department of Transportation
DATE: March 11, 2026

Pursuant to M.G.L. c. 3, § 5A, in order to use for another purpose or otherwise dispose of land or an interest in land subject to Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts (“Article 97”), a public entity must, *inter alia*, “identify replacement land or an interest in land, which is not already subject to said Article XCVII, in a comparable location and *that is of equal or greater natural resource value, as determined by the secretary of energy and environmental affairs . . .*” (emphasis added). This document provides the required determination of natural resource value as to the above-referenced proposal (“Project”).

This determination constitutes solely a determination of natural resource value pursuant to M.G.L. c. 3, § 5A(a)(ii) and does not indicate that the Secretary of Energy and Environmental Affairs takes any position on the Project or on whether it complies with the Executive Office of Energy and Environmental Affairs (“EEA”) Article 97 Land Disposition Policy. This determination reflects the independent analysis of EEA for advisory purposes and does not create any right, benefit, or duty, substantive or procedural, enforceable at law or equity by any party in any judicial or administrative matter.

Project Description:

The Project proposed involves the taking of an 8,917 square foot portion of land (“Impacted Land”) currently owned by the City of Boston, being part of Mary Cummings Park, located in the towns of Woburn and Burlington, to the Massachusetts Department of Transportation (“MassDOT”) for highway purposes. As described in the Alternatives Analysis, this disposition is necessary for the purposes of completing roadway improvements to the Cambridge Road intersection. These improvements are intended to reduce traffic, improve safety and to provide enhanced bicycle and pedestrian access.

In 2018, the town of Burlington issued a special permit which included a condition that a Conservation Restriction be prepared in order to meet the replacement land requirements of this Project. This Conservation Restriction protects approximately 9 acres of land (“Replacement Land”) and was conveyed in 2021 specifically for the purposes of mitigating the Article 97 impact and represents the Replacement Land that is being elevated in this determination.

The Project is described in more detail in the Alternatives Analysis and Supplemental Materials which are posted on EEA’s website¹.

Information Considered:

This determination is based on a review of the Alternatives Analysis, other materials submitted, and EEA’s independent analysis. EEA’s analysis also included a site walk conducted on January 19, 2026 and the use of GIS and EEA’s Article 97 Natural Resource Site Evaluation Tool (“NRSET”) to characterize the Natural Resource Value of the Impacted Land and Replacement Land.

Characterization of Impacted Land:

The Impacted Land consisted of multiple strips of land along South Bedford Street and Route 3, totaling 8,917 square feet. All of the Impacted Land is part of Mary Cummings Park, which consists of approximately 216 acres of already protected land. The majority of the impacted land is brush along the roadway and open grass field, with natural resource values including water resource protection, groundwater protection and access to passive recreation. While the park is open to the public for passive recreation, the Impacted Land provides limited opportunity for these types of activities based on its proximity to the road.

Characterization of Replacement Land:

The Replacement Land is approximately 9 acres and is mostly forested wetlands, including wooded swamp and marsh, with natural resource values consistent with those land cover types, including but not limited to aquifer protection, wetland and flood zone protection and access to passive recreation. Additionally, this land is directly adjacent and contributes to a corridor of approximately 300 acres of already protected land. The conservation values of this parcel are described in more detail in the conservation restriction recorded in the Middlesex South Registry of Deeds at book 78014, page 436.

Determination:

The Replacement Land is of equal or greater Natural Resource Value as compared to the Impacted Land. The Impacted Land and Replacement Land share similar natural resource values and Article 97 purposes, most notably water resource protection and access to passive recreation. The Replacement Land protects a significantly larger area as compared to the Impacted Land and contains much larger areas of wetlands, aquifers and flood zone. Both parcels are available to the public for passive recreational use, and the disposition of the Impacted Land will not result in impaired public access to and enjoyment of the remainder of Mary Cummings Park.

¹ [https://www.mass.gov/info-details/article-97-an-act-preserving-open-space-in-the-commonwealth-mgl-c-3-ss-5a#:~:text=97\)%20establishes%20a%20right%20to,or%20easements%20subject%20to%20Art.](https://www.mass.gov/info-details/article-97-an-act-preserving-open-space-in-the-commonwealth-mgl-c-3-ss-5a#:~:text=97)%20establishes%20a%20right%20to,or%20easements%20subject%20to%20Art.)