

Executive Summary - Petitioned Articles

This executive summary summarizes the nature/purpose of these petitions collectively, as individually they conflict with each other.

The Town of Hudson owns several parcels of land upon which a railroad right-of-way (surface easement) was established in the 1800s.

The MBTA granted Eversource a subsurface easement in land purportedly owned by the MBTA in Hudson on the inactive Central Massachusetts Branch right-of-way, for the purpose of an electric transmission line.

The transmission line subsurface “Easement Area” described in the MBTA-Eversource agreement includes parcels owned by the Town of Hudson. A misconception exists that the MBTA took these parcels in fee by eminent domain in 1977; however Hudson has never been within the MBTA’s jurisdiction so the purported taking is null and void, akin to a forged deed. A Land Court case by adjacent landowners concerning Parcel 1 was put on hold in 2023 after the Land Court judge indicated that the Town of Hudson owned Parcel 1.

A set of 5 petitioned Town Meeting articles provide the Town of Hudson three approaches to enable Eversource to acquire the rights necessary for the transmission line within the Town of Hudson parcels.

- a. Petition 1, authorizing the MBTA to take Parcels 1 and 6; vs,
- b. Petitions 2 and 3, authorizing the Town to sell Parcels 1 and 6; vs
- c. Petitions 4 and 5, authorizing the Town to lease Parcels 1 and 6

Each of the approaches would enable the Town of Hudson to receive fair compensation for the Hudson parcels.

Becoming an MBTA Community would give the MBTA the authority they currently lack to legally take parcels 1 and 6 in Hudson. Petition 1, if voted YES by Town Meeting, would start the

process. Town Meeting can consider the pros and cons of becoming an MBTA Community and vote accordingly on Petition 1.

Petitions 2 and 3, would authorize the Town to sell Parcels 1 and 6. If Eversource or the MBTA acquired these parcels "in fee", Eversource could legally acquire the rights necessary for the transmission line.

Petitions 4 and 5, would authorize the Town to lease Parcels 1 and 6. Town of Hudson could lease to Eversource (as the MBTA has done) the rights necessary for the transmission line.

Petitions 2 and 3 (sell), and Petitions 4 and 5 (lease) are mutually exclusive, respectively. Petition 1 (become an MBTA Community) could happen regardless.