

Listing of Properties in Concord Mass. that Would be Affected by a re-interpretation of Mass. Law Chapter 82 Section 32A (1924).

The following is a list of all 85 parcel addresses on the five roads in Concord that were discontinued under Mass Chapter 82, Section 32A (1924). This form of discontinuance was in effect from 1924 to 1983. During the existence of the law, it was the *only* form of discontinuance used by the Town. While such discontinued roads have always been considered wholly private by the Town and the owners, the Town has recently proposed a novel interpretation of the historic law which would make all these ways public ways, with the exception that the Town would not be required to maintain them.¹

For some of these addresses, a re-interpretation of the old law would result in a latent undocumented public way through their land. For some old easements it would impact fences, gates, and plantings installed by the owners. In some cases, it would make signs and gates installed by the Town illegal. In a few cases it would create a new easement passing right through a residential home. In some cases it would open private driveways for public use. In almost all cases it would require deeds and plans to be changed to incorporate the newly discovered easement.

The following 38 properties are on or along discontinued Powder Mill Road, where public access is not permitted. There are fences, plantings, gates, "No Trespassing" signs, and some parts are obliterated or are private driveways. In one case the discontinued road cuts a house lot in half. In one case the Town itself has gated the old way and marked it "No Trespassing." All of the following properties would be severely impacted if the old way were found to be a public easement as a result of the discontinuance.

Old Powder Mill Road (Concord Mews / Prescott Apartment Complex)

32B Powder Mill Rd

32Y Powder Mill Rd

9 Forest Ridge Rd

0 Cranberry Circle, Sudbury (NSTAR SUBSTATION)

30 Cranberry Circle, Sudbury

38 Cranberry Circle, Sudbury

46 Cranberry Circle, Sudbury

54 Cranberry Circle, Sudbury

60 Cranberry Circle, Sudbury

66 Cranberry Circle, Sudbury

76 Cranberry Circle, Sudbury

¹ Concord is not the only Town that used this form of discontinuance. It was also used by other Towns around the Commonwealth. The historic records of these discontinuances are in archival storage around the Commonwealth. In 74 other Towns examined, every road discontinuance using this law has resulted in the way being removed from plans and deeds, obliterated by plantings or overgrowth, blocked by gates and fences, converted to private driveways, and/or posted "no trespassing". No such road is open to the public, unless it is on land owned by a Town such as Town forest, park, or conservation land.

82 Cranberry Circle, Sudbury
90 Cranberry Circle, Sudbury
300 Border Rd
288 Border Rd
270 Border Rd
252 Border Rd
240 Border Rd
222 Border Rd
210 Border Rd
188 Border Rd (cuts the house)
20A Border Rd
16B Border Rd
2B High Pine Circle
5Y High Pine Circle
4Y High Pine Circle
26X Old Mill Rd
126 Barton's Way
92 Barton's Way
60 Barton's Way
1186 Old Marlboro Rd
1220 Old Marlboro Rd
1250 Old Marlboro Rd
14 Drum Hill Rd
34 Drum Hill Rd
50 Drum Hill Rd
74 Drum Hill Rd

The following 15 properties are on or along discontinued Great Meadows Road, where public access is not permitted. There are fences, plantings, gates, "No Trespassing" signs, and some parts are obliterated or are private driveways. In one case the discontinued road cuts a house lot in half. In one case the Town itself has gated the old way closed and marked it "No Trespassing." All of the following properties would be severely impacted if the old way were found to be a public easement as a result of the discontinuance.

320 Monument St
31B Monument St
41 Great Meadows Rd
68 Great Meadows Rd
11B Great Meadows Rd
112 Great Meadows Rd
20A Great Meadows Rd
280 Great Meadows Rd
263 Great Meadows Rd (cuts the house)

49X Bedford St
50X Bedford St
40S Bedford St
40E Bedford St
40X Bedford St
509 Bedford St

The following 5 properties are on or along discontinued East Acton Road, where public access is not permitted. The road is blocked by a fence, most of the road is obliterated, and part is a private driveway. All of the following properties would be severely impacted if the old way were found to be a public easement as a result of the discontinuance.

234 Union Tpke
23A Union Tpke
24A Union Tpke
1341 Elm St
1323 Elm St

The following 6 properties are on or along discontinued Pond Lane, where public access is not permitted. The road is a private parking lot and driveway for a commercial property. A portion of the discontinued way has been converted to a parking lot with defined parking spaces. All of the following properties would be severely impacted if the old way were found to be a public easement as a result of the discontinuance.

1694 Main St
6-9 Pond Lane (multiple commercial units)
9A Damonmill Lane
12A Damonmill Lane
2B Damonmill Lane
19X Old Stow Road

The following 21 properties are on or along discontinued Estabrook Road, where public recreational access permitted by the owners. The road is an rocky dirt trail used for walking. All of the following properties would be severely impacted if the old way were found to be a public easement as a result of the discontinuance.

39A Estabrook Rd
393 Estabrook Rd
42A Estabrook Rd
39X Estabrook Rd
366 Estabrook Rd

47Y Estabrook Rd
60B Estabrook Rd
68B Estabrook Rd
77B Estabrook Rd
90X Estabrook Rd
97A Estabrook Rd
110A Estabrook Rd
108B Estabrook Rd
115B Estabrook Rd
116A Estabrook Rd
122B Estabrook Rd
129B Estabrook Rd
1285 Estabrook Rd
45C Estabrook Rd
185 Estabrook Rd, Carlisle
0 Kibbe Place, Carlisle