

WALTHAM



Waltham Land Trust, Inc.
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A non-profit organization dedicated to preserving our community's natural resources through open space advocacy, education, acquisition, and protection.

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**Protecting
Waltham's land
...forever.**

March 30, 2018

To Whom It May Concern:

On January 30, 2018, Waltham Mayor Jeannette McCarthy, in her role as chair of the School Committee, announced a plan to re-purpose approximately 13 acres of the Storer Conservation Lands and to use that land as part of the site for a new high school campus. This plan was described as a "backup plan", which would be pursued only if the preferred high school building site (the Stigmatine land) cannot be acquired by the City. On February 7, 2018 the School Committee voted unanimously that the "plan B" choice for the location of the new high school should be the current high school site, as "augmented" with additional acreage from the adjacent conservation land.

The Waltham Land Trust firmly opposes this proposal. As an organization, we are dedicated to preserving Waltham's precious open spaces. Open space should not be sacrificed for development, whether it be commercial, residential, or municipal. This is particularly true for those lands that have been explicitly set aside for conservation purposes, such as the Storer Conservation Lands.

The specific land involved in the School Committee's proposal can be found in the City's Geographic Information System (GIS) map as "0 Off-Chesterbrook Rd", parcel R042_007_0001. This parcel was acquired by the City in 1974, as part of the acquisition of the Paine Estate. After negotiating terms with the owners, who were heirs of Robert Treat Paine, the city executed a "friendly" eminent domain taking, which is recorded at the Middlesex County Registry of Deeds in Book 12629, Page 286. The taking order reads, in part,

WHEREAS: In the judgment of the City Council the public necessity and convenience require that the following hereinafter described property be taken by eminent domain for conservation purposes it is ORDERED...

The taking order was followed by a confirmatory deed, recorded in Book 12720, Page 255. The deed specifies restrictions on how the land can be used, stating in part,

*The foregoing restrictions are authorized by the General Laws, Chapter 184, sections 31-33 for the purpose of maintaining said parcel **predominantly in a naturally scenic, green and open condition forever** in order to protect the natural and watershed resources of said City. The restriction shall be administered by the Conservation Commission of said City...*

While most of the Storer Conservation Land was donated to the City by Theodore "Ted" Storer, this parcel was purchased, since it was owned jointly by Ted Storer and other relatives. The purchase price was \$52,758.00. The funds needed to cover this parcel plus several other small parcels in the Storer Conservation Land were obtained from a federal grant from the Land and Water Conservation Fund.

Clearly, when this land was acquired, the intention of the City officials, as well as the descendants of Robert Treat Paine, was that this land should be preserved in its natural state forever. Since 1974, the City and its Conservation Commission, along with private

groups like the Friends of Stonehurst [the Robert Treat Paine Historical Trust] and the Waltham Land Trust have worked to maintain the original objectives of the City and the Paine family. It is unconscionable to even consider removing this land from its protected status.

In the discussion of this plan at the January 30, 2018 joint meeting of the School Committee and the City Council, it was observed that neighbors and abutters had raised significant objections to several other potential high school building sites. The 13-acre R042_007_0001 parcel has no abutting property owners other than the City of Waltham. This fact has led some to conclude that no one will raise objections if this parcel is repurposed for educational use. But this parcel has a much larger constituency. Any attempt to “undo” all of the restrictions that have been applied to this land will have an impact throughout the City and beyond.

We of the Waltham Land Trust urge the Mayor, the City Council, and the School Committee to reject the idea of using Waltham’s most-protected open space for anything other than conservation purposes.

[Board member George Darcy III, who is also a member of the Waltham City Council, board member Philip Moser, who is also a member of the Waltham Conservation Commission, board member Marie Daly, who is also a member of the Waltham Historical Commission, and board President Dr. Nadene Stein, who is also a member of the Waltham School Building Committee, did not participate in the WLT discussion and vote on this matter.]