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781-893-3355

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.**

September 20, 2020

Via Email Only

Waltham City Council  
C/O City Clerk Robert Waddick  
City of Waltham  
610 Main Street  
Waltham, MA 02452  
[rwaddick@city.waltham.ma.us](mailto:rwaddick@city.waltham.ma.us)

#### **Re: Chesterbrook Woods**

Dear Members of the City Council:

The Waltham Land Trust (WLT) has received the City Council's notice that it will consider a conservation restriction on a portion of the Chesterbrook Woods at its upcoming Committee of the Whole meeting on September 21, 2020. For reasons set forth in detail below, our organization writes to urge the City to expand this conservation restriction to cover the entire Chesterbrook Woods, in accordance with the history of how and why the property was purchased, and the longstanding use of this land as community open space.

On June 17, 2020 WLT submitted the organization's comments to the Draft Environmental Impact Report (DEIR) concerning the plans for the Waltham High School dated May 15, 2020.<sup>1</sup> In its comments WLT expressed the desire to see six acres of land of comparable conservation value set aside for permanent preservation to offset the negative environmental impact of the development of Jericho Hill. On August 17, 2020, SMMA then published the Final Environmental Impact Report (FEIR). Public comments on the FEIR are due September 25, 2020.

The FEIR included the June 26, 2020 NPC/DEIR Certificate from the Massachusetts Executive Office of Energy and Environmental Affairs which stated "[t]he City should address in the FEIR whether it will consider placing a conservation restriction on the portion of the site which will remain undeveloped, or at an alternative off-site location, to permanently protect such land as publicly accessible open space."

The NPC/ DEIR Certificate also stated "*I encourage the City to consider placing a conservation restriction on these portions of the site that will remain as undeveloped open space to ensure their permanent protection.*" (emphasis added)

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<sup>1</sup> Please note that the Waltham Land Trust Board includes a City Councillor, a member of the Waltham Historical Commission, and a member of the School Building Committee. These individuals recused themselves from the discussion and development of these responses.

In Waltham's response to the Commonwealth's recommendations, the FEIR states that "the Mayor is willing to recommend to the City Council that a conservation restriction be placed on an alternative off-site location nearby that is currently held in the City's General Inventory and is currently undeveloped. The alternative location, located adjacent to the current high school property, is a portion of the City-owned land known as 0 Chesterbrook Road (aka 605R Lexington Street) and that restriction would be placed on 5.97 acres of that site (see plan attached). A conservation restriction on this 5.97-acre area would not only preserve existing undeveloped open space, but would also protect wetlands and other environmental concerns." The land which is described in the FEIR is a small swath of the larger parcel typically known to the public as the Chesterbrook Woods.

While the Waltham Land Trust is generally supportive of the issuing of any conservation restrictions, this response was highly concerning for a number of reasons.

When the City decided to develop Jericho Hill as part of the high school project, it brought a longstanding concern of the Land Trust to the forefront. That concern is with regard to the City's acquisition of land for the stated purpose of preservation as open space, when that acquisition is then followed by the failure to unequivocally protect that land through conservation restrictions or other appropriate legal means of ensuring its permanent preservation. This was the case with Jericho Hill and is even more so with regards to Chesterbrook Woods.

The 5.97 acre portion of land in the Chesterbrook Woods that the City proposes to place a conservation restriction on to offset the negative environmental impact of developing Jericho Hill has long been held out to the people of Waltham as already being protected. As the City itself notes, it also contains certain wetlands that would limit its developability. Further, the highest conservation value is achieved by preserving interconnected and uninterrupted parcels of land which was one reason for WLT's concern about the loss of Jericho Hill. For all of these reasons, the proposed portion of the Chesterbrook Woods is not of comparable conservation value to Jericho Hill and is inadequate to serve as a mitigating substitute.

Both Article 97 of the Massachusetts Declaration of Rights and MGL c. 30 § 61 recognize that negative environmental impacts of development in a community also negatively impact the people who live there. This is especially true with regard to those members of the community who are marginalized or have the fewest resources and thus more acutely feel the effects of environmental damage, whether it comes in the form of losing access to safe public woodlands and green space and their attendant benefits, or bearing the brunt of the negative consequences of climate change. As the impact of climate change becomes more acute, the need for conservation likewise has become all the more urgent.

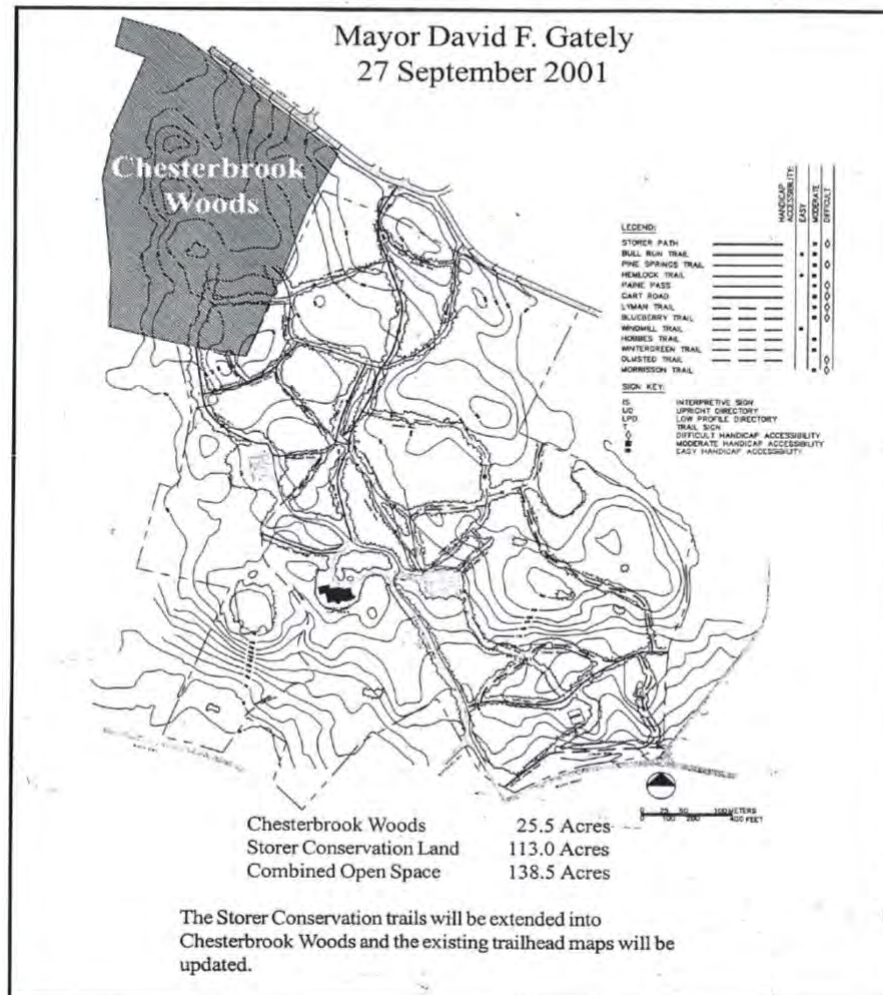
For these reasons Massachusetts has chosen to give its residents rights, under the Commonwealth's Constitution, to the quality of life that clean water and open space provide. Accordingly, the law requires the use of all practicable means and measures to minimize damage to the environment in projects such as this one. Article 97's "no net loss" policy also requires that when one parcel of open space is developed it is replaced by protecting other land in the community of equal conservation value.

The Land Trust's longstanding position is that the *entirety* of Chesterbrook Woods is protected by Article 97 of the Massachusetts Constitution and is not subject to development. WLT disagrees with the City's assertion in the FEIR that the deed to a particular parcel conclusively determines its status

(notwithstanding that, on page 37, the City's current Open Space Plan indicates Chesterbrook Woods is protected by deed). By this standard almost none of Waltham's open space would be considered actually protected. However, the Massachusetts Supreme Judicial Court addressed this issue in *Smith v. City of Westfield*, 478 Mass. 49 (2017) and found that land that was not legally restricted through a deed or conservation restriction was nonetheless protected by Article 97. This protection was acquired through the land being held out to the public as community open space protected from other uses and the public in fact using it as such.

With regard to the Chesterbrook Woods, the entire parcel was purchased for, and presented to the public as, a continuation of the Storer Conservation Land. The 2001 acquisition of the Chesterbrook Woods was based on the recommendations of the City's Committee to Study Land Acquisition for the Preservation of Open Space and the City's stated intent of the purchase was clearly for preservation of the land as open space. Below is Mayor David Gately's September 27, 2001 acquisition map which clearly indicates the Chesterbrook Woods was added to the Storer Conservation Land and that the trails would be extended to provide a combined open space of 138.5 acres. Indeed, the public has been using it as open space ever since.

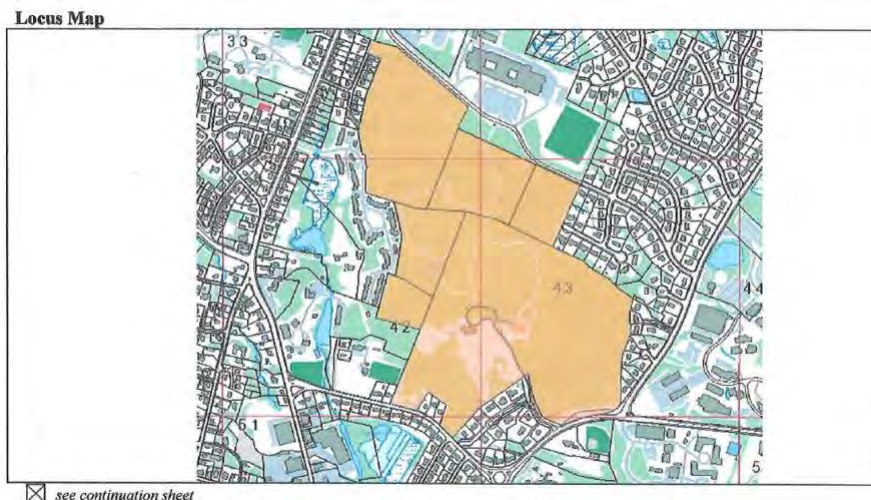
## CITY ACQUISITION OF CHESTERBROOK WOODS



In reaching the conclusion that this land is protected, WLT has also relied on its members' firsthand knowledge, various City documents, and media reports including the following which are attached.

- Kocian, Lisa, "Open-space Advocates Press Mayor for Green," *The Boston Globe*, June 7, 2001.
- Kocian, Lisa, "Good Causes Collide," *The Boston Globe*, September 27, 2001.
- Sweeney, Emily, "City Angles to Buy Another Piece of Land – Intends to Protect Jericho Hill from Development," *The Boston Globe*, November 4, 2001
- Sweeney, Emily, "Time was Key to Act's Passage," *The Boston Globe*, November 15, 2001.
- Sweeney, Emily, "Land Buys Get Top Treatment in City – Jericho Hill Latest Spot to be Purchased," *The Boston Globe*, January 3, 2002.
- Sweeney, Emily, "City Can Buy Church Parcel – Council Approves Borrowing \$4.5m," *The Boston Globe*, August 5, 2004.
- Marcou, David Jr., *Waltham News Tribune*, October 11, 2007.
- McCarthy, Jeannette, "This is What I Love About Waltham – From the Mayor," *Waltham News Tribune*, August 31, 2010.
- "Election Candidates Answer Questions on State Rep Race," *Waltham News Tribune*, April 1, 2011.
- Wicked Local Newton, "Candidates for 10<sup>th</sup> Middlesex State Rep Seat on Environmental Safety," *Newton TAB*, April 7, 2011.
- Fowler, Bill, "Waltham Voices – Help Preserve City Land," *Waltham News Tribune*, April 15, 2011.
- City of Waltham Community Development Plan, June 2007 (omitted from attachments).
- City of Waltham Open Space & Recreation Plan, 2015 – 2022 (omitted from attachments).
- Application by City of Waltham Historical Commission to Massachusetts Historical Commission for Listing on the National Register of Historic Places, September 2019.

The full 2019 application for listing on the National Register of Historic Places, which clearly includes the Chesterbrook Woods as part of the 138.5 preserved acres, is attached. The initial locus map is excerpted below and throughout the document clearly treats the property as a single parcel of open space that was acquired in stages. See, e.g., Continuation Sheet 27 Resource Map.





In addition, the following chart appears on page 57 of the City's 2007 Community Development Plan which further demonstrates how this land has been categorized and presented:

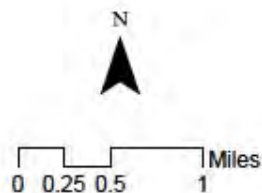
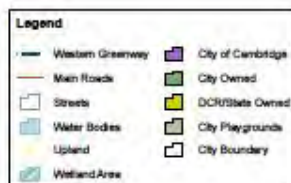
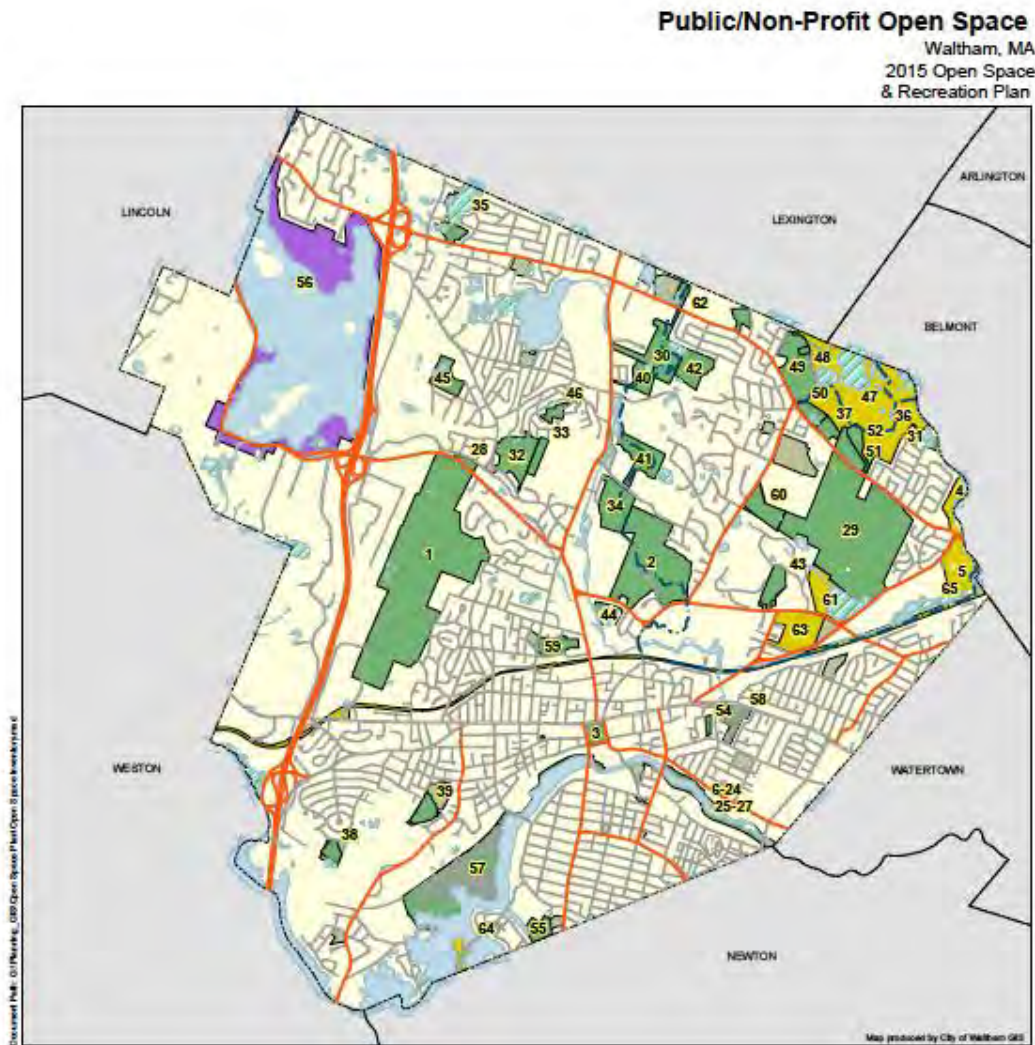
Objective	Actions	Year
	Develop appropriate historic programming with CPA funding.	2009
2.1 Protect ecologically sensitive lands and wildlife areas.	Provide updated inventory of wildlife resources and endangered species.	2008
	Preserve Waltham Woods and Forest Street Park woodlands.	2009
	Acquire Jericho Hill, Stigmatine Center and Sanderson Woods properties to create a contiguous open space – <i>partially completed</i>	2008
	Acquire undeveloped land behind Our Lady Comforter of the Afflicted Church on Trapelo Road - <i>complete</i>	2006
	Acquire surplus Bemis Railroad Spur between Pine and Gorham Streets for use as public park land - <i>complete</i>	2006
	Acquire Chesterbrook Woods parcel - <i>complete</i>	2003
	Acquire former Polaroid Company land adjacent to Prospect Hill Park	2010
	Acquire Antico parcel adjacent to Prospect Hill Park	2010
	Protect open space on the grounds of the former Middlesex County Hospital	2008
	Acquire the University of Massachusetts Agricultural Field Station on Beaver Street	2010
	Acquire the Fernald Center on Trapelo Road.	2010
	Acquire former railroad property between Elm Street and the Charles River for use as a pocket park	2011
	Assess parcels at risk along the route of the Western Greenway.	2008
2.2 Take measures to accurately map and permanently protect City-owned open spaces.	Research methods to permanently protect the city-owned open spaces on Forest and Beaver Streets (Waltham Woods).	2008
	Assess city-owned property. Recommend areas to receive conservation restrictions and for transfer to the Conservation Commission.	2009
	Formulate tree replacement program where needed, using appropriate species for urban areas.	2008
	Provide conservation restriction for Chesterbrook Woods	2009

The Land Trust is far from alone in its position as to the protected nature of the Chesterbrook Woods. When this parcel was under possible consideration as an alternative high school site in spring 2018, the following groups all expressed their agreement that the Chesterbrook Woods has Article 97 protection.

- Friends of Stonehurst/The Robert Treat Paine Historical Trust
- Trustees of Reservations
- Massachusetts Land Trust Coalition
- Preservation Massachusetts
- Historic New England
- The New England Chapter of the Society of Architectural Historians

- National Association for Olmstead Parks

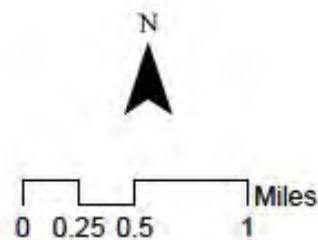
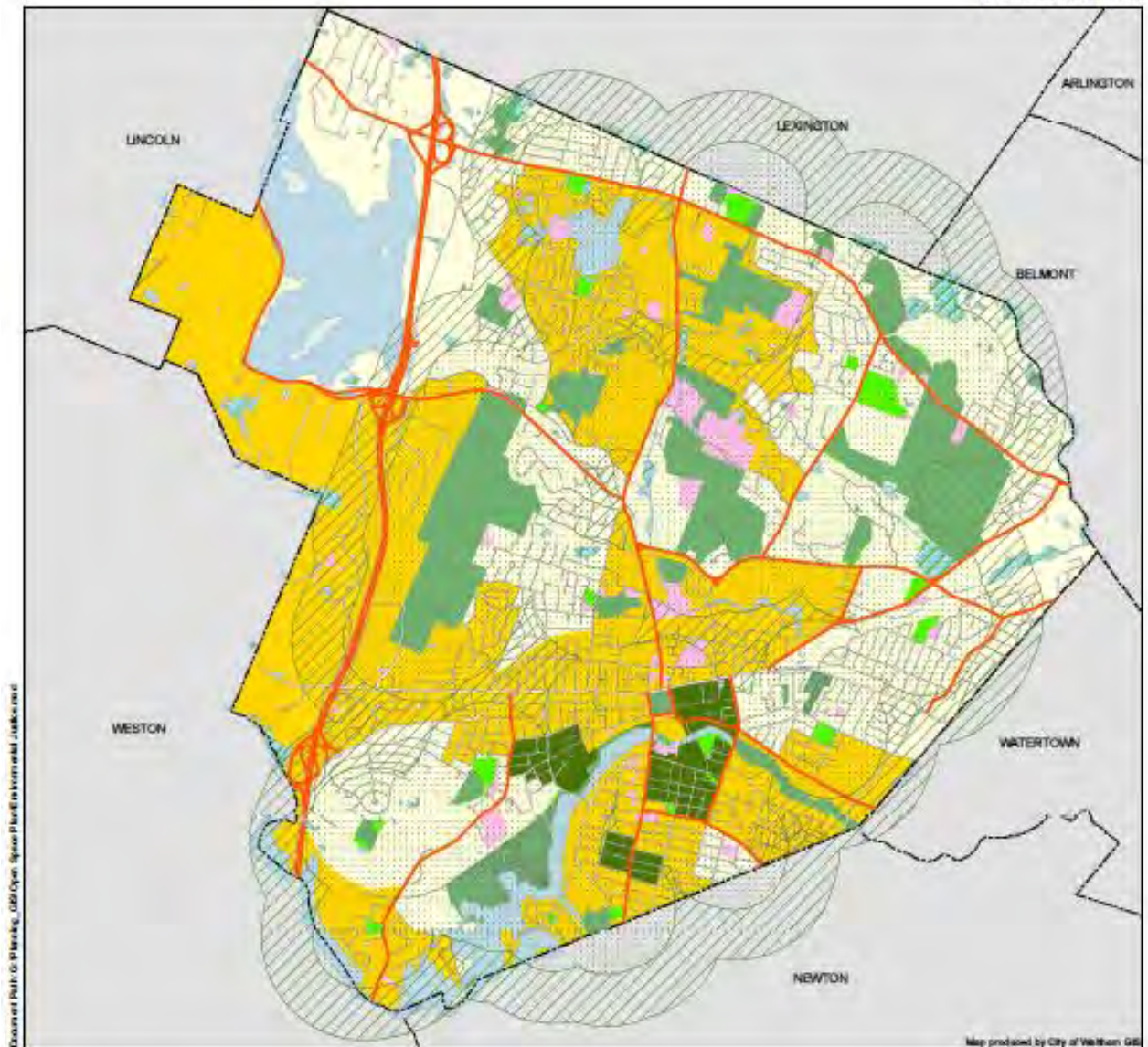
In addition, the following maps appear in the City's current Open Space & Recreation Plan which clearly indicate the Chesterbrook Woods is community open space on pages 15 and 45, respectively. The Plan also indicates on page 50 that the City's top goal is "**Preserve Currently Owned City Open Space** – The City through its various departments is committed to preserving the natural state of all City owned open spaces. By preserving the inventory the City currently owns, residents and visitors are able to enjoy historical open spaces in their natural state and be free from fear of development or destruction."





# Environmental Justice Populations

Waltham, MA  
2015 Open Space  
& Recreation Plan



As WLT has noted, in our prior comments WLT has generally supported the location of the High School at 554 Lexington Street. This was in large part because the organization recognizes both the unique and urgent need for a new high school, and because it became clear as more information emerged over the past several years that this land was at high risk of being sold to a private developer – an outcome which could have had an even more detrimental environmental impact. WLT also supports the City’s desire to repurpose the existing high school to meet other educational infrastructure needs so that further development of Waltham’s open space can be prevented. At the same time, the high school process has highlighted the need for a clearer dialogue about what land in the City is truly permanently protected for conservation purposes.

The Land Trust’s mission is to preserve land for the next generation of Waltham, the very same children who will be served by the new high school. It is vital for the City to demonstrate that it truly understands permanent land conservation is also critical and essential to Waltham’s future being a healthy one. That requires the acknowledgment that there will always be competing land use needs in our community and taking the necessary steps now to legally permanently protect the land the City has already presented as such. This will resolve community misunderstanding and ensure conservation does not take a back seat in the future.

Finally, it bears noting that the current situation concerning the Chesterbrook Woods was largely the result of actions, or lack thereof, by the prior administration at the time the land was acquired. Conservation efforts, laws, options, and methods have also evolved significantly over the last twenty years. However, that does not change that the members of both the Waltham Land Trust, and the community at-large, have relied on the City’s repeated indications, many of which are outlined above, that all of the Chesterbrook Woods was purchased for the purposes of its permanent preservation as open space. The City also previously indicated that a conservation restriction would be placed on the entire parcel, as documented in its own plans. Because of that history, the promises made to the public, and approximately nineteen years of use of the property as community open space, there will always be the likelihood of conflict over the future proposed use of the Chesterbrook Woods for any other purpose. That type of repeated divisiveness stalls progress and is not in the people of Waltham’s best interests.

In its comments to the DEIR, WLT noted its continued desire to resume a more collaborative relationship with the City going forward. 2020 has been a difficult year for all of us. The COVID-19 pandemic has illustrated both the restorative value of open space, and the importance of community unity in difficult times. So, while the current situation is not of this administration’s making, WLT hopes that the City will work with our organization to resolve it for the benefit of Waltham as whole.

For these reasons, WLT urges the City to fulfill its own prior commitments to everyone in Waltham by protecting not just some, but *all* of the Chesterbrook Woods, with a conservation restriction. The Land Trust leadership stands ready to work with you to do so.

Sincerely,

A handwritten signature in blue ink, appearing to read "Anna Richardson".

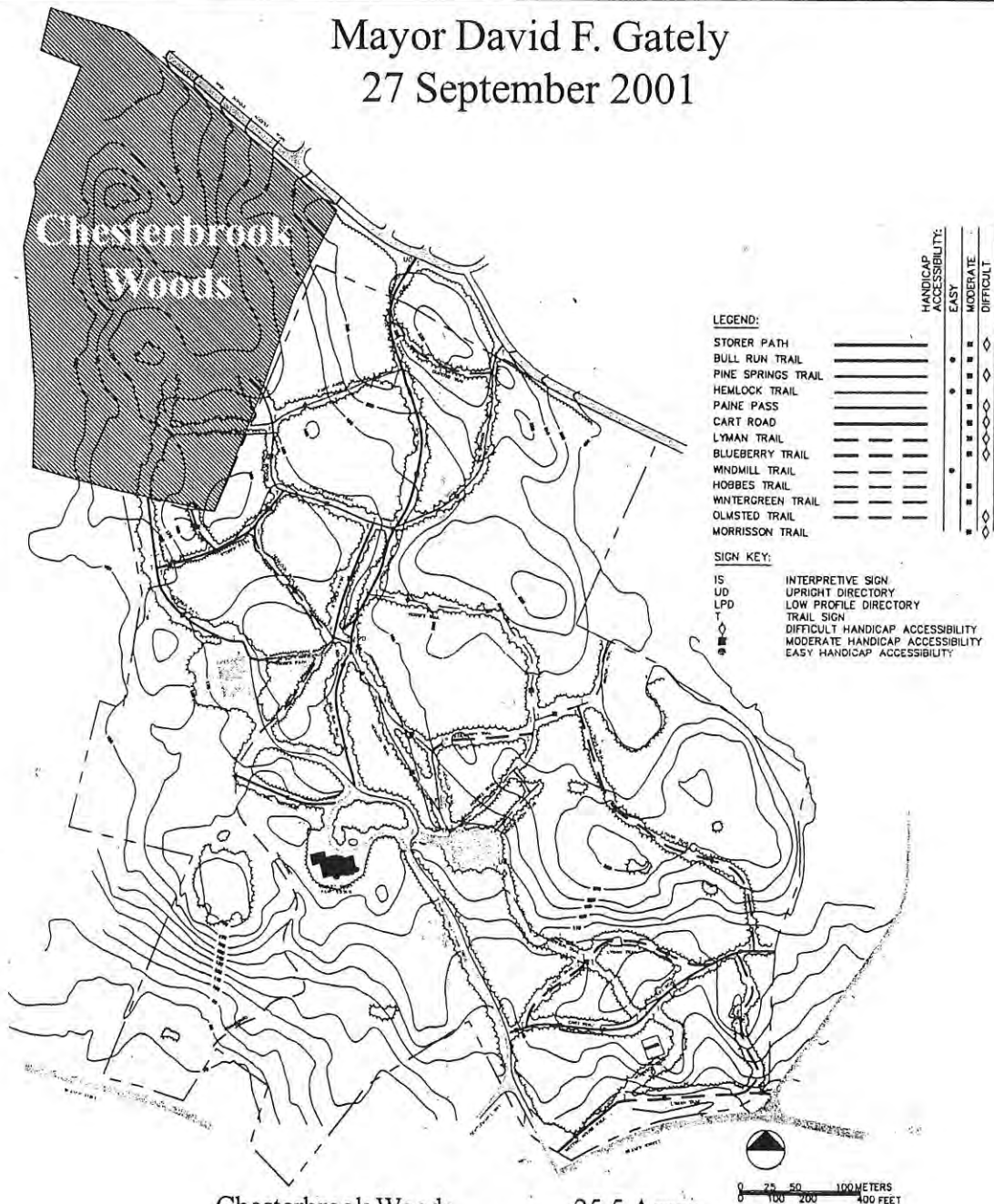
Anna Richardson, Clerk

*On Behalf of the Waltham Land Trust Board of Directors*



# CITY ACQUISITION OF CHESTERBROOK WOODS

Mayor David F. Gately  
27 September 2001



Chesterbrook Woods	25.5 Acres
Storer Conservation Land	113.0 Acres
Combined Open Space	138.5 Acres

The Storer Conservation trails will be extended into Chesterbrook Woods and the existing trailhead maps will be updated.

## WALTHAM

# Open-space advocates press mayor for green

By Lisa Kocian

GLOBE STAFF CORRESPONDENT

Over the last year, support for an "Emerald Necklace" in Waltham has steadily gained momentum, and now it's up to the mayor to approve \$10 million for the first few gems.

Last week the Committee to Study Land Acquisition for the Preservation of Open Space in Waltham, established by Mayor David Gately, recommended buying five specific parcels for a total of \$10 million. On May 29, the committee submitted its report, the culmination of a year-long effort to find the city's most eligible sites for preservation.

The committee got a reminder of just how fast land is moving in Waltham as rumors circulated last week that a developer is going to file a Chapter 40B permit to build housing on the 50-acre Olympus Hospital site on Trapelo Road.

"Any change to that [site], whether it be a large-scale housing development or another type of use that will add traffic, is . . . certainly going to be met with some resistance by residents of the area," said Deputy Mayor Bob Waddick.

(A Chapter 40B permit allows developers to build more housing as long as some of it is set aside as affordable. The state has not received a 40B application for this property, and the owner could not be reached for comment.)

The northern area of the city has been home to much development in recent years, so preserving open space there serves two purposes: setting aside green space for residents, and cutting down on traffic that would be generated by any new development.

Trapelo Road causes particular concern, said Ward 1 Councilor Bob Kelly, who cochairs the open-space committee. "That is one of those congested roadways, along with Lexington Street, along the northern edge of the city we're paying attention to," he said. The committee is not anti-development, Kelly emphasized, but any large project in that

**'I think the mayor is certainly receptive to acquiring the parcels that they've identified.'**

BOB WADDICK

WALTHAM, Page 7

ON GLOBE

Globe West 7

# Advocates push for open space

► **WALTHAM**  
*Continued from Page 1*  
area causes concern.

If Olympus Hospital is to be developed, the land across the street, part of Our Lady Comforter of the Afflicted parish, would become even more attractive for preservation, said Kelly.

The city has been negotiating with the Archdiocese of Boston to buy 25 acres of land behind the Our Lady Comforter of the Afflicted Church on Trapelo Road, one of the five parcels the committee is recommending for acquisition.

The city and the archdiocese are establishing a joint task force to continue negotiations. The archdiocese has indicated it is willing to sell the land to Waltham if the city finds a parcel elsewhere for 100 units of housing.

According to Kelly, the city has already made significant progress toward acquiring three other of the five recommended properties.

The Bemis Spur, a 35,000-square-foot lot bounded by Newton, Pine, and Gorham streets, won preliminary approval for purchase by a unanimous vote of the City Council last week. Two more votes will be needed before the city can actually buy the \$600,000 property, which will be used as a small park.

The city solicitor's office is negotiating for the almost 25-acre Chesterbrook Woods property along Lexington Street, said Kelly. He said the city is also close to an agreement on the 6.5-acre Jericho Hill property, behind Stigmatine Fathers and Brothers, a home for retired missionaries on Lexington Street.

Kelly said he will meet this week with the owner of the fifth property, Lincoln Woods, which is bordered by Totten Pond Road and Lincoln Street. He said he's optimistic that they will reach some kind of agreement.

Mayor Gately hasn't decided whether to approve the \$10 million requested, said Waddick, but plans are moving ahead on the Bemis Spur and Chesterbrook Woods acquisitions. "I think the mayor is certainly receptive to acquiring the parcels that they've identified," he said. "Now it's a question of putting together a plan and timetable for doing it all."

The second part of the open-space committee's charge is to work on gaining the right of first refusal on properties that could be put up for sale in the future. Among the 13 listed in the report are several state-owned properties. Kelly said the city should also talk to private owners and explain the tax incentives available through the Waltham Land Trust.

"We really want people to feel comfortable with the fact that we're willing to just talk and have it be friendly," said Kelly.



WALTHAM

# Good causes collide

Backers of over-55 housing, open space seek same sites

By Lisa Kocian

GLDSE STAFF CORRESPONDENT

A campaign to create housing for retirees in Waltham is set to clash with the city's open-space agenda.

At the request of the City Council, lawyers are investigating how Waltham, like many communities in the state, might adopt zoning regulations that would allow residential developments to be designated for people 55 years and older.

Unlike assisted-living facilities, such housing complexes are geared toward retirees who might want to take advantage of an on-site health club, shuttle services for shopping or even group vacations, and the social network that would surround them.

There are many potential benefits for baby boomers, but there's some skepticism about how the campaign is being conducted, and the developer who wants to build Waltham's first 55-plus housing has his eye on some of the same land that activists are trying to preserve for open space.

Luisea Monticelli is leading the campaign to adopt zoning that would allow 55-plus housing. She is from Waltham and

still owns a house in the city but lives now in Newton. "This is my mission," said Monticelli. "It saddens me to think that so many residents in that age group are widowed ... and don't want to live alone."

She said she has collected about 1,000 signatures on a petition in support of allowing senior housing and hopes the city will move quickly. "I'm sure there are builders in the city that would like to build a 55-plus community, but if the City Council hesitates or drags their feet, then they usually go for the 40B," said Monticelli.

The city now has two projects pending under the state's Chapter 40B, a law that allows developers to build more than would normally be allowed under local zoning as long as they provide affordable housing as well.

Chapter 40B is unpopular with many residents and lawmakers in Waltham and statewide because it's seen as giving developers too much power, according to opponents.

Monticelli said 55-plus housing is not only good for senior citizens but also for the city. It frees up other housing for families and generates tax revenue without placing a burden on the schools, she

DOUG DONOVAN

**'I want to know where the city would be impacted and how that affects residential zones.'**

HOUSING, Page 5

# In Waltham, a battle over land use

► HOUSING  
Continued from Page 1

City councilors who support the senior housing say longtime Waltham residents are pushed out of the city when they get older.

"We have a lot of people growing older in our community that don't want the hardship of owning and maintaining their own home," said City Councilor Paul Brasco, who is a sponsor of the council resolution that initiated the city's look into a zoning change. "I have had people say to me: 'We will leave this area if these types of developments are not available to us.'"

Some have already left, he said, to take advantage of the 55-plus

housing in other communities like Marlborough and Southborough.

Doris Donovan, president of the Waltham Council of Neighborhood Advocates, is not so convinced that the 55-plus housing will be a boon to seniors.

Donovan criticized Monticelli for circulating a petition without providing any details about the proposed housing, such as where it would be located.

"I don't think it's right that you're asking people to sign onto a petition when they don't even know what the zoning reads and how it affects the city," said Donovan.

"I'm concerned," she added, "because I want to know where in fact the city would be impacted and how in fact that affects residential zones, and when I know that and if I feel that it's good zoning then I would be more inclined toward it."

Monticelli said she is working with Ryzen Real Estate, a development company that is interested in building Waltham's first 55-plus housing. Steven Rosen is a partner in that company.

He said Monticelli is working for his firm as a broker, charged with finding land in Waltham where Ryzen could build between

150 and 500 units. Although that search has just begun, Rosen said he is interested in parcels such as Jericho Hill and those near Olympos Hospital or Our Lady Comforter of the Afflicted Church on Trapelo Road, all three of which are sites the city is pursuing for open space.

Ward 2 Councilor Ed Tarallo has been one of the most vocal open-space advocates and is cochair of a committee that identified the three sites for open-space acquisition. He said nothing has changed with respect to the parcels Waltham is pursuing, but he added that he supports getting advice from city attorneys about how 55-plus housing might work in Waltham.

Rosen said he feels that he is getting the "runaround" from councilors who are more interested in open space than housing. He argued that denser developments offer an efficient use of land, freeing up more potential open space in the city.

Ryzen's units would be a little

more expensive than the average condominiums in the area, he said. Again depending on the parcel and the number of units, the price could range from roughly \$200,000 for a one-bedroom unit

to the low-\$500,000s for a larger unit with more services on site, said Rosen.

**'The main thing a 55-plus [development] offers is the community.'**

STEVEN ROSEN,  
partner with Ryzen  
Real Estate

"The main thing a 55-plus [development] offers is the community, and this is especially important for widows and widowers. It's a network of people their own age to socialize with," he said. "This is for those great retirement years where you're still healthy, you're having a good

time, you're getting around."

Brasco said he expects to hear from the city's law department in October about what steps Waltham can take to make senior housing a reality.

Lisa Kocian can be reached at lkocian@globe.com.



W1 Needham, Newton,  
Waltham, Watertown,  
Wellesley, Weston

# Globe West

BOSTON SUNDAY GLOBE NOVEMBER 4, 2001

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## Time of war

The War Memorabilia Exhibit in Medfield was designed originally to pay homage to veterans of World War II, but after Sept. 11, it grew into a larger exhibit. **Page 6**



## Doing it his way

In the wake of selling his 60-acre farm in Natick to Five Seasons Resorts, Soby Mahardy is coming in for some criticism. But he says he did just what he wanted to do and that his children didn't force him. **Page 2**



## Equal opportunity

When soccer lost its luster, Newton North's Maida Ives turned to football, and now she's a wide receiver and defensive back for the junior-varsity team. She's been readily accepted by her teammates. **Page 14**

WALTHAM

# City angles to buy another piece of land

## Intends to protect Jericho Hill from future development

By Emily Sweeney  
GLOBE STAFF CORRESPONDENT

Elevated 340 feet above the city, Jericho Hill offers spectacular views of Waltham all the way to Boston, and the city wants to preserve this vista.

City officials expect to seal a deal for the 6.5-acre parcel — the second-highest point in the city, next to Prospect Hill — within a month. The final appraisal will

be under \$1 million, according to Mayor David Gately.

The land is one of five parcels recommended for acquisition by the Committee to Study Land Acquisitions for the Preservation of Open Space. If the city gets its way, this will be the third piece of land acquired for open space from that list. Earlier this year, the city bought the 35-acre Chesterbrook Woods property for an estimated \$2.75 million, and snagged Bemis Spur, a 35,000-square-foot lot bounded by Newton, Fine, and Gorham streets, for \$550,000.

The city is now negotiating with the Archdiocese of Boston for 25 acres of land behind the Our Lady Comforter of the Af-

firmed Church on Trapelo Road. The city also has an eye on Lincoln Woods, but the owner doesn't seem

interested in selling, according to Ward 1 Councilor Bob Kelly, who cochaired the open space committee.

"If we get four out of five, we're doing pretty well," said Kelly.

At a press conference earlier this week, the mayor and committee members seemed confident that the city will get Jericho Hill.

Five additional parcels will be brought forward at the next open space committee meeting on Nov. 15.

Kelly said he will recommend properties that are state-owned or contain wetlands.

"Jericho is a key piece," said Gregory Smizer, who also serves on the open space committee. "By protecting that land, we hold the key to the

future of the city's second-highest hill."

The land is also important because it is

an access point to the Stigmatine Brothers and Sisters' property on Lexington Street. More control over access to land that could be developed in the future is important, according to Smizer.

And, speaking of open space, the city has received a \$232,000 grant from the state to help restore Prospect Hill Park. The grant will fund the restoration of three historic picnic pavilions and two scenic vistas, the installation of a wheelchair-accessible path, and landscaping work.

Emily Sweeney can be reached at [esweeney@globe.com](mailto:esweeney@globe.com).

**The land is also important because it is an access point to the Stigmatine Brothers and Sisters' property on Lexington Street.**

*The events of Sept. 11 showed us that global issues and local issues are very much related. Our first challenge is now to protect every man, woman, and child . . . in Newton.*

DAVID GATELY, mayor of Newton

ON THE CAMPAIGN TRAIL

NEEDHAM

## FinCom advises



WALTHAM

## Land buys get top treatment in city

Jericho Hill latest  
spot to be purchased

By Emily Sweeney  
GLOBE STAFF CORRESPONDENT

Waltham is on its way to becoming the new owner of Jericho Hill, the second-highest point in Waltham, now that the City Council has approved \$750,000 for the city's third open-space land purchase in the past year and a half.

While other municipalities are tightening their budget belts, officials here say the city can afford these recent land purchases and keep preserving open space as a priority. This is the same city in which voters did not pass the Community Preservation Act, a state law that allows communities to raise money through a property tax surcharge for historical preservation, conserving open space, and creating affordable housing.

After snagging three of the five land parcels on its first wish list, the city's Open Space Committee, created by Mayor David Gately, has added five more properties to the list. Only one would require funding, according to Ward 4 Councilor Bob Kelly, cochairman of the committee.

"We're more cautious, and I think this list reflects that," Kelly said.

The city now has its eye on about 29 acres of the Polaroid campus off Linda Street. The potential deal would involve swapping 8.5 acres of city-owned land for wooded land that would be added to neighboring Prospect Hill Park. The trade would require special state legislation. Kelly has met with Polaroid officials who seem open to that possibility, but Kelly said the city needs a commitment in writing from the company, which recently filed for Chapter 11 bankruptcy.

The other four sites include 11 acres of state-owned land next to Middlesex County Hospital, the Parnall School campus, and the 56-acre University of Massachusetts field station on Beaver Street. The parcel that would require funding would be eight privately owned acres at the top of Dale Street, which could also become part of Prospect Hill Park. Kelly estimated the Dale Street property, owned by the Antico family, to be worth around three-quarters of a million dollars.

Earlier this year, the city bought the 25-acre Chesterbrook Woods property for \$2.75 million, and snagged Berns Spur, a 35,000-square-foot lot bounded by Newton, Pine, and Gorham streets, for \$890,000.

The city is still negotiating with the Archdiocese of Boston for 25 acres of land

JERICO HILL, Page 8

ON GLOBE

THURSDAY, JANUARY 3, 2002

# City has open space in mind; Jericho Hill funds OK'd

► JERICHO HILL  
Continued from Page 1

behind Our Lady Comforter of the Afflicted Church on Trapelo Road. The city was also considering Lincoln Woods, but the owner doesn't seem interested in selling, according to Kelly.

Buying land for preservation is not a new concept, according to Erin Rowland, spokeswoman for The Trust for Public Land's New England regional office.

"Certainly, towns have been buying land for years; it's been going on for a long time. But the pace has increased in the past five years in eastern Massachusetts, where there's a lot of development pressure," said Rowland. "The other change is that more and more communities are doing general bonds."

In the past, communities would approach voters for funding to buy a particular parcel, said Rowland. Now more communities are being proactive in preserving land, by asking for millions through a bond as a steady source to buy land in the coming years. Waltham, however, is still using a parcel-by-parcel approach to buying property.

Stephen Rourke, president of the Waltham Land Trust and newly elected councilor for Ward 8, said the Community Preservation Act had the potential to help the

city's preservation efforts. He said it can go on the ballot again, if the law's proponents gather enough signatures.

"A very large percentage of people who voted did not vote for or against the CPA. I think in a lot of cases it may have been that people went into the booth and didn't see the CPA because it was the one and only petition question on its own row," said Rourke.

He said preserving open space in Waltham is important because it conserves natural resources and curbs sprawl.

"We're at a point where the space that remains open is at risk of development," said Rourke. "Development is not a bad thing, but the common wisdom is that once land is developed, it's lost as green space. We need to balance development with preservation."

The Waltham Land Trust hasn't bought any land on its own, but the group recently launched a capital campaign to raise money for a revolving fund. The money would be used to buy time to negotiate with landowners and potential buyers, such as the city, to purchase the property. The land trust is making a presentation to the Open Space Committee on Jan. 8 about the city's current inventory of open space.

The parcels of land the city bought will have almost no effect

on the tax rate, "not even close to penny," according to assessor Paul Griffin.

"The city is not going to lose any money. If the city purchased 20 [parcels of land], it might affect the tax rate," said Griffin.

The 6.6-acre Jericho Hill property is valued at \$837,900, which would have brought in about \$8,770 in tax revenue for fiscal year 2002, according to Griffin.

This is a small drop in the Watch City's bucket, compared to its total taxable property, which is valued in billions, and the levy, which was more than \$97 million.

The Bemis property had been exempt from paying taxes because it was once part of the Boston & Maine Railroad, so no revenue was lost there, he said.

Ward 2 Councilor Ed Tarallo said the acquisitions have been "friendly takings" by eminent domain, as recommended by the city's law department.

He noted that the purchases are for passive recreation and would not require hefty maintenance costs.

"We have thought things out. Overall we've had a good track record of making positive purchases. There's not a financial drain," Tarallo said.

Emily Sweeney can be reached at [esweeney@globe.com](mailto:esweeney@globe.com).

## WALTHAM

# City can buy church parcel

## Council approves borrowing \$4.5m

By Emily Sweeney

ALICE STAFF

Waltham Mayor Jeannette A. McCarthy received the initial go-ahead from the City Council to purchase one of the largest tracts of undeveloped land in the Watch City.

The mayor reached an agreement with the Archdiocese of Boston to buy land adjacent to Our Lady Comforter of the Afflicted Church on Trapelo Road, property that city officials have been eyeing for at least three years. Located in north Waltham, a section of the city that has experienced a surge in development, the 38-acre parcel would be the first major real estate purchase under McCarthy's administration.

This week, the City Council gave the nod to borrow \$4.5 million for the proposed deal, which must go back to the council for a second and final reading in September. Earlier this year, the city and the archdiocese failed to agree on terms for a \$3.75 million deal.

Under the new proposal, most of the land would be left open, but McCarthy would like to see the Waltham Housing Authority build housing for the elderly behind Chesterbrook Gardens. In addition, McCarthy wants to sell some existing single-family lots on the site to offset the higher price tag.

The city's last real estate purchase occurred in 2002 under former mayor David F. Gately when it bought Jericho Hill, the second-highest point in Waltham.

Under Gately's administration, the city's Open Space Committee snagged three of five parcels on the city's wish list — the 6.6 acres on Jericho Hill; 25 acres of Chesterbrook Woods property; and Bemis Spur, a 35,000-square-foot lot, formerly part of the Boston & Maine Railroad, bounded by Newton, Pine, and Gorham streets.

The property next to Our Lady's church has been a top priority because it contains significant wetlands that prevent flooding, according to the cochairmen of the Open Space Committee, Ward 2 Councilor Edmund P. Tardio and City Council

WALTHAM, Page 4



# Council approves borrowing \$4.5m to buy 38-acre parcel

► WALTHAM

*Continued from Page 1*

president Robert S. Kelly.

"We knew way back when that this was a key parcel to preserve because of the wetlands and the impact downstream if this property were to be developed," Kelly said.

Next on the city's wish list is the state-owned Fernald Center, a nearly 200-acre campus for the mentally retarded that is slated to be closed, and the University of Massachusetts Field Station on Beaver Street.

"The City Council has suggest-

ed other properties," Tarallo said.

"We're always looking at property."

But McCarthy isn't buying every piece of land in sight.

She recently decided not to bid on a state-owned 7-acre parcel of state-owned land located in Waltham and Lexington.

The state Division of Capital Asset Management is scheduled on Wednesday to auction off the land, which was part of the Middlesex County Hospital campus.

Several councilors applauded the mayor's successful negotiations with the archdiocese, which

has been courted by private developers that have offered more than \$5 million for the property next to Our Lady's.

"It's a great thing for the city," said Councilor at Large David H. Marcou Jr. "I'm extremely happy."

Ward 3 Councilor George A. Darcy III said the purchase will help prevent flooding and will benefit "environmentalists, open-space advocates, nature lovers, and people who walk their dogs."

*Emily Sweeney can be reached at [esweeney@globe.com](mailto:esweeney@globe.com).*



10/11/07

## America's News

### DAVID MARCOU JR.

Waltham News Tribune (MA) (Published as Daily News Tribune, The (Waltham, MA)) - October 11, 2007

**Section:** News **Page:** A007 **Readability:** 10-12 grade level (Lexile: 1170)

I have spent the last eight years as a City Councilor working to make Waltham a better place for my family, my friends, and all the citizens of Waltham.

Over those eight years I have attended 100 percent of all City Council meetings. I was elected to do a job and I take my commitment very seriously. I have strong opinions and have always been willing to voice them.

I have spent all eight years on the Finance Committee, working hard to understand municipal finance and protecting your tax dollars. I have had the privilege of serving as chairman of the Finance Committee for four of those years. I have cut millions of dollars out of our city budget over those eight years. Saving your tax dollars.

I have been a leader in fighting for the continuation of our school renovation plan to offer a first-class and equitable education to all our school children. By continuing the school rebuilding project during a slowing economy, we saved millions of dollars on each school construction bid.

I have also been a leader in the creation and upgrading of our recreational opportunities. The first-class fields at Leary Field, Harding Field at the high school, and the Veterans Fields on Forest Street have always been a top priority.

I have supported the preservation of open space in our purchases of Our Lady's, Gaebler, Jericho Hill, Lincoln Woods and the 26 acres adjacent to Waltham High School and the Paine Estate. These purchases have resulted in over 100 acres of pristine land being preserved and protected.

There is still much work to do. The schools are almost done and when they are finished we must find new uses for these sites, the roadways and traffic need to improve as well as hundreds of other issues that come up in the course of each year.

I am proud to announce that I am a candidate for re-election to the Waltham City Council and I would greatly appreciate one of your six votes.

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**Index terms:** story **Record:** 11C57F0DAEEEF420

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## America's News

8/31/10

### This Is What I Love About Waltham - From The Mayor

Waltham News Tribune (MA) - August 31, 2010

**Author/Byline:** Mayor Jeannette McCarthy **Section:** News **Page:** 7 **Readability:** 9-12 grade level (Lexile: 1140)

**Its Rich History.** From its early colonial, revolutionary and industrial beginnings, Waltham has blossomed into the 28th best small city in the United States, according to the August 2010 Money Magazine.

**Its People.** The people of the City of Waltham are instrumental in that achievement. Waltham is fortunate to be comprised of a proud, hard-working, caring, generous and diverse community, while still retaining its small-town feeling and appeal even though it became a city in 1884. Generations of families, veterans, senior citizens, churches, synagogues, and other places of worship, civic and service groups and organizations continue to contribute to the Waltham spirit. There is always someone volunteering or offering a helping hand.

**Its Location.** Waltham's location is a key to its economic success and its diversified economy. Waltham has always been able to lead the way as well as adapt to change. Additionally, Waltham is home to local and internationally known businesses. Biotech and high tech companies and hotels are attracted to the convenience to Route 128 and Mass Pike. The Watch Factory, one of the cornerstones of Waltham's history, has been transformed into modern first-class office space for modern technology tenants. The city's restaurants are well known both within and outside the city. Bentley and Brandeis, two internationally known universities, are major employers in the city of Waltham. New businesses continue to want to come to Waltham without asking anything in return. And that is great for Waltham.

**Its Educational Facilities.** Waltham is blessed with dedicated school staff, PTOs, school councils and eight brand new schools, as well as state-of-the-art athletic fields and facilities.

**Its Open Space and Recreation Opportunities.** From the Charles River's Forest Grove, Riverwalk and the Woerd Avenue boat dock, to Prospect Hill, Sanderson Heights, Hardy Pond, Metropolitan State, Beaverbrook and Mackerel Hill Reservations, Shady's Pond, Chesterbrook and Waltham Woods, hundreds of acres of open space and passive and active recreational opportunities abound in Waltham. Waltham land benefactress Cornelia Warren's bequests to the Girl Scouts and UMass Field Station are still actively utilized by our citizens. State-of-the-art playgrounds and spray parks have been built throughout the city for the enjoyment of children and families. Waltham parents and businesses alike actively support a multitude of student athletic programs and recreation leagues.

**Its Museums, Culture and Fine Arts.** Waltham's history is our Nation's history. The Boston Manufacturing Company, the Watch Factory, the Charles River Museum of Industry, The Waltham Museum, the Waltham Historical Society, the Paine, Lyman and Gore Estates, the Mt. Feake and Grove Hill Cemeteries and the National Archives each chronicle an important part of Waltham's history. The City, our Library, the Schools' Fine Arts Department, the Chamber of Commerce, the Tourism Council, the Arts Council, the Reagle and Hovey Theatres, local artists, the Waltham Philharmonic, the Waltham Symphony, the museums, local bands and restaurants work collaboratively on promoting the jewel that Waltham is.

And of course we have our politics!

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4/1/11

## America's News

### Election Candidates answer questions on state rep race

Waltham News Tribune (MA) - April 1, 2011

**Section:** News **Page:** 7 **Readability:** >12 grade level (Lexile: 1320)

On March 16th, 2011, the Waltham Land Trust, a nonprofit whose mission is to preserve open space in Waltham ([www.walthamlandtrust.org](http://www.walthamlandtrust.org)), sent a letter to the 5 candidates competing in the Special State Primary for the 10th Middlesex State Representative District.

The letter contained 6 questions about open space preservation. We invited the candidates to respond so that we could share their views with our members and the citizens of the district they seek to represent.

Only 4 of the candidates responded by the deadline of March 28th, James E Dixon, Sean T Durkee, John J Lawn Jr and Gary J Marchese. Allan L Ciccone Jr did not reply to the letter nor to attempts to reach him by phone and email.

Below are the 6 questions and responses from the 4 candidates who did respond, with responses presented in alphabetical order by last name.

Question 1. What are your views of our state's land disposition policy MGL Chapter 7, Section 40, and how would you like to change it, if at all? Should local communities where the land is being surplussed have more or less say than the current policy? James E Dixon As a general rule, I favor local control.

When state property is being surplussed, local communities should have an input, particularly if the parcel of land is large enough to have a significant impact on the landscape of a community.

After a cursory look at MGL Chapter 7, Section 40F, I would say that it needs clarification and distinction on the larger parcels of land, such as Fernald, and give the advisory committee more authority in the decisionmaking process.

Sean T Durkee I think more local control is always better. If the city agrees not to re-sell the land AND it is used for open space, recreation, or smart-growth in cooperation with the state, the existing buyback rate at 80% should be lowered or eliminated.

John J Lawn Jr I believe that this law protects the state and does not give enough control to the local municipalities. The impacts on surplus land will be felt locally and there needs to be more transparency.

These difficult economic times brings this more to light. Any development will have immense impacts at the local level. Cities and Towns need stronger voices in this. I would work to pass legislation that would give more control to the local governments and boards and commissions.

Gary J Marchese The legislation drafted and enacted by Representative Stanley (Chapter 149, s402 of the Acts of 2004) is a good template to use to modify the land disposition policies of the Commonwealth. Representative Stanley's establishment of the Fernald Development Center land reuse committee is specific to the Fernald property, but its terms and conditions could be used as a template for disposition of all state-owned land. Establishing a re-use committee comprised of local elected officials and interested community members to discuss land disposition within a municipality is essential to deriving the needs of the community in which the land is located. Requiring a public hearing to receive input from the community is also a key component of such legislation.



Question 2: If the Fernald property is finally surplussed by the state, to what uses do you think the property should be put in Waltham? James E Dixon As much as possible, the serenity of Fernald should be preserved.

The Fernald Re-Use Committee's recommendations are a good guideline to follow.

Many of its facilities can benefit the community at large and should be maintained, such as the Greene Pool, gymnasium, and Marquardt Nursing Center. It should maintain its primary mission as a residential home for the severely disabled. The open space should be preserved, and its historical significance should be showcased.

A cemetery could also be part of the re-use.

Sean T Durkee The Fernald property should be used for open space and recreation as much as possible where environmentally acceptable. A small number of historic buildings could be rehabilitated to be used as green, affordable housing units. Traffic issues must be taken into account with any development.

John J Lawn Jr I would work with Tom Stanley, Mayor McCarthy, Waltham City Council, Waltham Conservation Commission and the Waltham Land Trust to come up with a plan that achieves something that can work for all of Waltham. We all represent Waltham. I have a history of working together with others to achieve a common good.

Public discussion from the taxpayers of Waltham also needs to be heard.

Gary J Marchese The Fernald Campus consists of 185 + acres of land (not including the Shriver Center), about 80% of which is undeveloped.

There are over 70 buildings on site, many of which are contaminated with asbestos. A small part of the premises is subject to an "Activity and Use Limitation" restriction by DEP due to contamination and release of oil from underground fuel storage tanks (i.e. at and near Fernald Center Power Plant). The Fernald Center is well over 150 years old, many of the structures have historic significance and much of the property sits in or near the environmentally sensitive Western Greenway - streams run through it - and there is a significant neighborhood presence abutting a portion of the property.

The Fernald parcel is zoned Conservation/Recreation which significantly limits uses allowed by right.

Certainly any reuse plan has to account for the remaining residents who call the Fernald Center their home.

Any future development must take into consideration a substantial buffer zone for the abutting neighbors, protecting the history of the site, and preserving as much open space in perpetuity as possible. Recreation, passive and active, farming gardening green houses, cemetery, low density residential development (i.e. single family homes) would be preferred re-uses.

Question 3. Should the City of Waltham receive a price break in purchasing the Fernald land if surplussed, since the state has not paid any taxes on the land while Waltham has continually provided police, fire and other services? James E Dixon The City of Waltham should receive the property, free and clear.

Sean T Durkee Yes.

John J Lawn Jr I do believe that Waltham should receive a price break and would fight at the State level so that happens! Gary J Marchese The Commonwealth must protect the City's interests in this property to



prevent overdevelopment and preserve the quality of life of this part of Waltham. While it is unrealistic to expect the Commonwealth to gift the entire 200 acres to Waltham, gifting a large portion of the site to Waltham to meet its needs of protecting its neighborhoods, conserving open space and providing active and passive recreation must be seriously considered.

Question 4. The DCR's budget has been cut substantially.

The management plan for Beaver Brook North has not been finalized nor implemented. Little has been coming from DCR regarding maintenance or completion of the Riverwalk, which affects Waltham, Newton, and Watertown.

Are you in favor of improved funding for the DCR properties within Waltham's, Newton's and Watertown's borders? If so how would you make it a priority? James E Dixon The DCR's record of achievement is spotty at best. The new footbridge behind the Stop and Shop is a nice addition, but its handling of the Connors Pool was pathetic.

An Elm St. to Moody St. segment of the Riverwalk would showcase the historical and cultural significance of Waltham, but I've heard of no talk about its completion. If the DCR can't or won't do it, we should form a collaboration of local communities, businesses, philanthropies, and other interested groups and individuals to raise the funds to complete it.

Sean T Durkee Yes, I'm in favor of increased funding.

The combined legislative representatives of Waltham, Watertown, Newton, Belmont, and Lexington should create a regional group and publicize DCR funding.

John J Lawn Jr I have worked with Dan Driscoll from DCR. He is a neighbor and a friend and a valuable resource for these communities.

I would continue to work with him on these and other important issues. My family and I use the riverwalk weekly. I have always called Rep Koutoujians office to help with clean up and cutting down grass and over grown branches. This is personal to me and living only 200 yards from the Riverpath my entire life. I would work on the Beaver Brook plan and push the state for a meeting and an update to why it is not progressing.

Gary J Marchese My record on the City Council for acquiring open space, and minimizing the impact of development by requiring developers to set aside conservation/recreation zones when possible, is impeccable.

I voted for and supported the acquisition of Army Corps, Met State, Lot 1, Chesterbrook Woods, Shady's Pond Conservation, and every other open space acquisition by this City for the past 13 years.

I will continue to do so. On the State level, we can assist municipalities with low cost loans or grants to provide them with the seed money to use as a deposit to purchase open space. Completing the river walk and obtaining the funding should be part of a bond bill which would involve several projects statewide; in this way we could elicit support among other legislators in whose district these projects are located.

Question 5. The Rail Trail project through Waltham appears to have stalled.

Are you in favor of completing the project and how will you aid in seeing the project completed? James E Dixon As the communities from Boston to Concord enjoy the Minuteman Trail, Waltham continues to wallow in



its image as "the Forgotten City" on Beacon Hill. Although I would like to see the Rail Trail project move forward, I have heard concerns about security in some areas, particularly around the Gardencrest apartments.

Sean T Durkee Yes, I'm in favor of completing the project. I attended the first Waltham public hearing on the rail trails project. I personally enjoy the Minuteman trail whenever I can.

Also, I've hiked many portions of the unfinished trail.

I will look into why construction has not already started on the trail and will educate those who are unaware of rail trail benefits.

John J Lawn Jr I have voted in Watertown to support the rail project. I would use these experiences to help move along the Waltham rail project. I have done it! Gary J Marchese I would work closely with Senator Fargo and Representative Stanley.

Question 6. Please express any general comments you have about open space and its preservation in Waltham.

Have you personally enjoyed any of Waltham's wonderful open space? James E Dixon I believe that Waltham does a good job of preserving open space, compared to many cities and towns that I've lived in or visited throughout the country.

I enjoy daily walks at the Paine Estate and Storer Conservation Area, and regularly walk segments of the Riverwalk. I have, on occasion, ridden my bicycle on the Riverwalk into Boston.

Sean T Durkee I personally enjoy walking, hiking, running, biking, canoeing, and cross-country skiing on: Prospect Hill Park, Berry Farm, Hardy Pond, Charles River, Beaverbrook North Reservations, Western Greenway and its new trails and bridges, wooded properties along Second Avenue over Bear Hill, the lands adjacent to the railroad track along Stony Brook, around the Cambridge Reservoir and Western Conservation lands, Forest Grove and the Riverwalk along its entirety, and the Paine/Lyman/Gore Estates.

The Durkee Family has enjoyed Waltham and the surrounding communities open space for the past 100 years. I would like future generations to enjoy the same benefits of open space recreation my family has enjoyed.

John J Lawn Jr Open space is something we need to protect for future generations.

We live in such a dense area that open space should be a priority! As I said the riverpath is something I use weekly with my 5 children. We also hike at Prospect hill and ride bikes at Beaver Brook. I look forward to working on protecting Walthams open space with Waltham Land Trust! Gary J Marchese I learned how to ski on Prospect Hill, ice-skated on the open rink next to Connors Pool and at the MDC rink. I also skated at Walker's Pond, Lyman's Pond, and in the Cove. I have hiked up Prospect Hill and viewed the Boston sky line from its peak, I have walked my dog along the walking paths of the Paine Estate, and my family and I have biked and walked along the River Walk and enjoyed the views of the wild life from the Mary Early Bridge. I am currently sponsoring an Anti-Graffiti ordinance to help the City combat graffiti particularly on the buildings along the River Walk. I was a member of the Waltham Environmental Committee for 2/12 years and worked closely with the EPA representative on the city incinerator and storm water retention and infiltration issues. In June, 2008, as a member of the Rules and Ordinances Committee, we reviewed and recommended for approval important legislation amending Waltham's Stormwater Ordinance to bring Waltham into compliance with the Federal Environmental Protection Agency's Policies for storm water management and illicit

discharges into the Waltham's storm water drainage system.

Protecting our scarce natural resources, and preserving open space in perpetuity have been and will continue to be a priority.

**Caption:** State rep hopefuls - mostly - participate in a forum on March 10.

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4/15/11

## America's News

### Waltham Voices - Help preserve city land

Waltham News Tribune (MA) - April 15, 2011

**Author/Byline:** Bill Fowler **Section:** News **Page:** 9 **Readability:** 10-12 grade level (Lexile: 1160)

Henry David Thoreau once wrote: "What are the natural features which make a township handsome? A river with its waterfalls and meadows, a lake, a hill, a cliff or individual rocks, a forest, and ancient trees standing singly. Such things are beautiful; they have a high use which dollars and cents never represent. If the inhabitants of a town were wise, they would preserve these things, though at considerable expense, for such things educated more than any hired teachers or preachers, or at any present recognized system of school education."

With that in mind in October of 1999, the Waltham Land Trust was incorporated as a not-for-profit corporation.

Stephen Rourke was the first president and Marc Rudnick was the first treasurer.

Both are still active members of the Board of Directors today.

With the price of land being so high in Waltham, the Land Trust has not been able to make large land purchases on its own. They have, however, worked closely with the City of Waltham identifying those land parcels that are most important to be preserved.

This cooperative effort has resulted in the protection of several important properties around the city. They include 155 acres at the site of the former Met State Hospital, 26 acres of the Chester Brook Woods, as well as land at Sanderson Heights, Shady's Pond and the Smith Street Wetlands.

The Land Trust is funded by corporate and individual donations as well as several fundraisers over the course of the year. The largest of those fundraisers will be held Friday, April 29, at the Robert Treat Paine Estate. It is the seventh annual Green Space Blues Jam. Those in attendance will be entertained by the great blues music of the world-traveling, Bostonbased, Love Dogs. You can tempt your palate with food from two great Waltham eateries, Gracie's Kitchen and Taqueria Mexico. Beer and wine as well as soft drinks are included in the ticket price.

Dessert will be provided by Lizzy's Ice Cream. Local merchants and individuals have donated a wide variety of items for the silent auction.

Watch the bidding as you dance in the Great Room of the Paine Estate.

According to Land Trust Program Director, Sonja Wadman, the money raised, in addition to the collaboration with the city identifying environmentally important parcels, is used to sponsor the many activities that showcase some of the beautiful properties and wildlife habitants that are now protected for future generations to enjoy.

The Land Trust also participates in Waltham Day of Play where families are shown ways to stay active with other local groups. A complete list of events is available on the Land Trust web site.

So mark April 29 on your calendar and get your ticket to the Green Space Blues Jam, a great event, that helps run programs that educate all of us on the importance of preserving and properly enjoying these jewels in our city. If you would like more information on the event go to the Land Trust's web site [www.walthamlandtrust.org](http://www.walthamlandtrust.org) or call the office at 781-893-3355.



Bill Fowler is a Waltham resident. Send feedback to [newstribune@wickedlocal.com](mailto:newstribune@wickedlocal.com).

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4/7/11

## America's News

### Candidates for 10th Middlesex state Rep seat on environmental safety

Newton TAB (MA) - April 7, 2011

**Author/Byline:** Wicked Local Newton **Edition:** Web Edition **Section:** homepage

**Readability:** 11-12 grade level (Lexile: 1240)

The candidates for the 10th Middlesex District Massachusetts State Representative seat completed a brief survey submitted to them by Watertown Citizens for Environmental Safety, Green Decade Newton, and Waltham Concerned Citizens. Responses from Jim Dixon, Sean Durkee, John Lawn, and Gary Marchese to the four questions follow. Allan Ciccone did not send back his survey.

Do you support expanding the current container deposit law to include non-carbonated beverages?

Dixon: I support recycling. However, any new law must be cost effective and not place an undue burden on the consumer or the recycling industry.

Durkee: I support updating the bottle bill: It reduces trash hazards in the environment, provides added revenue to state conservation programs, and will return more money to cities and towns for recycling programs. The old bottle bill did not foresee the growth in individually bottled fruit juice/iced teas, sports drinks, or bottled water, so it is time to update the bill.

Lawn: I support expanding the current container deposit law to include non-carbonated beverages. The current bottle bill was passed over 25 years ago and needs to be updated to include bottled water, sports drink and fruit juices. These are filling up our landfills and are harmful to the environment. As a state, some estimates are that we are losing over 37 million dollars. Massachusetts needs to update this law and I would work hard to see that this will be supported as a State Representative.

Marchese: At this time in this economy I do not support expanding the bottle bill to include non-carbonated beverages. By adding .05 cents to the cost of these beverages the costs will be passed on to the consumer. Most of the plastic non-carbonated beverages can and should be recycled by consumers. Manufacturers should be dissuaded and not encouraged from manufacturing plastic water bottles. Certain plastic water containers are actually harmful to the consumer if reused or refilled. Plastic water and juice bottles that are not recycled and which end up in our landfills degrade very slowly and as they degrade they emit toxic chemicals. Finally, the cost of bringing bottled water and juice to market is costly in terms of the reliance on fossil fuels and its carbon footprint.

What steps do you think can be taken at the state level to reduce the cost to cities and towns of solid waste disposal?

Dixon: The anti-litter campaign of the 1970's has had a lasting impression on me. A similar public service awareness campaign can be crafted to encourage people to recycle, which would reduce the burden on our landfills. The state should identify and designate future parcels for landfills, and work to reclaim and reuse those that have reached their capacities.

Durkee: The state and federal government provide grants, loans, trainings, and advice to municipalities that need help both educationally and financially in reducing solid waste amounts and costs. MA needs to be more aggressive in educating its citizens on how easy it is to reduce waste and recycle more - for example - compost bins for yard trimmings and compostable food waste; how much more people can recycle than they think; where they can recycle (my nephews school gets \$\$ towards products they need but participating in Terracycle and they use everything from zip lock bags to juice pouches). The top 3 ways to save money is



source reduction, composting, and recycling. Businesses should be monitored and educated or fined if they are not recycling or pursuing source reduction.

Lawn: A bill has been filed to have this money that we are losing on the expanded bottle bill to help cities towns with solid waste and curbside recycling. I would be in support of this effort as a State Representative.

Marchese: Each city and town should expand their recycling programs to include office paper and other disposables. Many municipalities only offer recycling for households, and an expansion into business would reduce landfill build up. The more we recycle the less we dump into our landfills and the more municipalities can save in disposal costs and in costs to the environment. Educating the public to encourage recycling, reuse, composting will help reduce waste disposal, and labeling products with its environmental impact may help the consumer in its purchasing decision. A municipality may also want to look at "pay-as-you-go" programs as a possible cost saving measure.

Are there specific steps that you have taken to protect the environment?

Dixon: We use our recycle bin every week. We compost and use organic lawn products as much as possible. We have a rain barrel. I walk or ride my bicycle when practicable, and use public transportation when it is convenient.

Durkee: Not only do I "reduce, reuse, recycle", I leave the environment better than I find it (the Boy Scout mantra) by picking up trash when I find it, assisting in Charles River Cleanups and Earth Day, walking more/using public transportation, use Freecycle to locally trade unwanted items in exchange for "new/used" needed items, supporting efforts to protect the Berry Farm and Prospect Hill in Waltham, and supporting the transition of empty train rail beds into the Greenway Bike Trail project.

Lawn: As Chairman of the Police Station building committee I was a leader in working to make this building energy efficient. I met with the green roundtable and we were able to add many energy efficient features. We have a geo-thermal heating system, waterless urinals, LED lighting and exceeded building requirements with insulation. As a town councilor I have also voted to have Watertown designated as a "green community".

Marchese: For the past 13 years, I have been a strong advocate for the acquisition and preservation of open space. My record of protecting and preserving land and open space in perpetuity has been unwavering and consistent. My strong support of the acquisition of Chesterbrook Woods, Shady's Pond Conservation, and Beaver Brook North Reservation (formerly Metropolitan State Hospital site) will forever preserve these precious parcels for generations to come. On the State level, assisting municipalities with low cost loans or grants to acquire open space makes economic sense as well as environmental sense, as I believe that if Massachusetts is an inviting, clean, safe and affordable place in which to live and work, people and jobs will come and stay in Massachusetts.

Should we be preserving more open space? If so, what role should the state play in this effort?

Dixon: Open space is a precious resource. There is a delicate balance between preserving land and providing room to develop and grow. Local and state governments must continually weigh the costs between these two diametrically opposite objectives, and err on the side of preservation, because once it's gone, it's gone.

Durkee: Yes. The Community Preservation Act is one way in which Newton and Waltham are preserving open space. If we continue to over develop, natural wildlife will become extinct, outside activities will dry up, and we will leave no recreational areas to our future generations.



The state continues to pass laws like the CPA to give local municipalities some poetic license in their needs for recreational spaces. DCR should be aggressive in claiming land that comes available as open space, if fiscally possible. For example, with the Rose Kennedy Greenway project.

Lawn: We must work with the state, our local governments and all of our boards and commissions so that we can together preserve open space. The state must give more power to local governments to control open space. The Fernald is an example of this. We must work closely with the state so that Waltham has more control over this important piece of property.

Marchese: see above

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