



Waltham Land Trust, Inc.
P.O. Box 541120
Waltham, MA 02454-1120
www.walthamlandtrust.org
781-893-3355

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

Board of Directors

Nadene Stein, PhD, *President*
Maureen Bagge Fowler, *Vice-President*
Anna Richardson, *Clerk*
Marc Rudnick, *Treasurer*
Martha Creedon
Marie Daly
George Darcy, III
John Dieckmann
Natalie Hayes
Barbara Jacobs
Brian McCormick
Daniel Melnechuk
Diana Young

Advisory Board

Kate Buttolph
Dr. Laura Goldin
Dr. Eric Olson
Stephen Rourke
Michael Squillante
Mike Tabaczynski
Douglas Waybright
Roger Wrubel

Executive Director

Sonja Wadman

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

September 25, 2020

Via Email Only

Page Czepiga, Assistant Director
Massachusetts Environmental Policy Act Office
100 Cambridge Street, 9th Floor, Boston, MA 02114
page.czepiga@mass.gov

Re: Waltham High School EEA#16097 – FEIR Submission

Dear Assistant Director Czepiga:

In accordance with 301 CMR 11.08, the Waltham Land Trust (WLT) writes to submit the organization's comments to the Final Environmental Impact Report (FEIR) concerning the plans for the Waltham High School dated August 17, 2020.¹

In its June 17, 2020 comments on the Draft Environmental Impact Report (DEIR), WLT expressed both its overall general support for locating the High School at 554 Lexington Street, and its concerns about the environmental impact of the project. Specifically, WLT encouraged additional mitigating measures to offset the addition of six acres of the open space parcel referred to as "Jericho II" to the high school site, via the set aside of six acres of developable land of comparable conservation value.

In the FEIR, the City proposed to set aside six acres of open space land in an area the community refers to as the Chesterbrook Woods. For a host of reasons, WLT does not consider this land to be an adequate mitigating substitute. However, as the Land Trust has previously expressed, it is its desire to reduce community conflict around the high school project. It would therefore be counterproductive to that end goal to state those reasons here.

In its response to the DEIR, WLT called for efforts to reduce divisiveness and promote greater community unity around this project. However, because City Solicitor Cervone has again named WLT specifically in his August 17, 2020 Memorandum regarding whether Article 97 applies to the Jericho II parcel, WLT again feels compelled to respond.

As was noted in our June 17, 2020 comments, WLT believes that reasonable minds can differ regarding the interpretation of *Smith v. City of Westfield*, 478 Mass. 49 (2017). This includes whether Article 97 protection applied to the Jericho II parcel. It is regrettable that WLT's comments to that effect, which

¹ 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 comments.

were essentially agreeing to disagree so the community could move forward, were met with unfounded accusations.

Throughout this process, the Land Trust has continuously acted in good faith. It is the organization's responsibility to act to advance its mission to preserve land for the benefit of all of the people of Waltham for generations to come. WLT wants the same children who will attend the new high school to also have a healthier future that includes access to natural open space and all of its benefits, especially for those who live in parts of the City where safe outdoor space is very limited.

To ensure there is absolutely no confusion, WLT would like to take this opportunity to clearly state that, while it remains steadfast in its commitment to its mission, the Land Trust has no desire to delay or obstruct Waltham's new high school.

WLT indicated in its June 17, 2020 response to the DEIR that it would raise its broader concerns about open space preservation with the community directly and outside the MEPA process. The Land Trust recently did just that with regards to the Chesterbrook Woods (<https://walthamlandtrust.org/storer-paine-chesterbrook/>). Waltham can and must make conservation a co-equal priority for our community and have a clearer and more collaborative dialogue about what land is, or needs to be, permanently protected. There will be continuing divisive community conflict each time other land use needs arise otherwise.

Finally, after reading the various comments on the DEIR, some of which cite to WLT's information or materials, the Land Trust would like to clarify its process for when the organization takes an official position on an issue. WLT is a membership organization and its members elect a Board of Directors which is responsible for determining when and how the organization will comment publicly on matters such as this one. While other commenters may refer to Land Trust membership, information, or materials, those references should not be interpreted as an endorsement of those comments by WLT.

Sincerely,



Anna Richardson, Clerk
On Behalf of the Waltham Land Trust Board of Directors