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October 19, 2012

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Westfield Elementary School
PROJECT MUNICIPALITY : Westfield
PROJECT WATERSHED : Westfield River
EEA NUMBER : 14960
PROJECT PROPONENT : City of Westfield
DATE NOTICED IN MONITOR : September 19, 2012

Pursuant to the Massachusetts Environmental Policy Act (M.G. L. c. 30, ss. 61-62I) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

As described in the Environmental Notification Form (ENF), the project consists of the conveyance of 1.37 acres of Article 97 land known as the Cross Street playground to the City of Westfield. The Cross Street playground abuts a city-owned parcel containing the Ashley Street School. The area proposed for conversion contains a portion of a baseball field, open lawn area for play fields, a small playground and part of a paved parking lot. The conversion has not yet been approved by the Commonwealth of Massachusetts legislature. The City of Westfield will convey land of equal or greater value for conservation purposes. The transaction will result in no net loss of lands protected for conservation purposes in accordance with the Executive Office of Energy and Environmental Affairs' (EEA) Article 97 Land Disposition Policy.

Jurisdiction

The project is undergoing review pursuant to Section 11.03(1)(b)(3) of the MEPA regulations and for a State Agency Action because it will result in the conversion of land held for

natural resource purposes in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth (Article 97) to any purpose not in accordance with Article 97. The project does not require any State Agency Permits to complete the land transfer. The City of Westfield will receive Financial Assistance from the Massachusetts School Building Authority.

Because the project involves a transfer of Article 97 land, MEPA jurisdiction for this project is broad and extends to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment as defined in the MEPA regulations. However, MEPA jurisdiction is limited to only 1.37 acres of land to be conveyed and not the entire school site.

Article 97 Land

A transfer of Article 97 land requires compliance with the Executive Office of Energy and Environmental Affairs (EEA) Article 97 Land Disposition Policy (the Policy). A primary goal of the Policy is to ensure no net loss of Article 97 lands. Allowances are made within the Policy for exceptional dispositions. The information included in the ENF states that the EEA Land Disposition Policy regarding “no net loss” of Article 97 Lands shall be satisfied and acknowledges the unique attributes associated with this specific parcel.

According to the ENF, the conveyance of the Article 97 land in question is not anticipated to have impacts, as the conveyance will be mitigated by the provision of compensatory conservation land by the City of Westfield. It is anticipated that the compensatory conservation land provided by the City will have equal or better conservation.

The basis for the Article 97 conversion is associated with the need to assemble a sufficient quantity of land to reconstruct the Ashley Street School. The existing school currently sits on one parcel on the corner and does not contain the adjacent Cross Street playground area. No construction activity is proposed to take place on the 1.37-acre Cross Street playground as part of the reconstruction. The existing Ashley Street School is currently undergoing asbestos abatement. It will then will be demolished and rebuilt. The City of Westfield is following the Memorandum of Agreement (MOA) with the Massachusetts Historical Commission (MHC) and the Massachusetts School Building Authority including reuse of a portion of the keystone and decorative arch from the old school. Because the City of Westfield has developed a MOA with MHC, MEPA jurisdiction does not extend to historic issues.

The proposed replacement parcel is located behind 146-170 Main Street in Westfield. It is a 33 acre parcel that is part of a 37.3 acre parcel. The proposed replacement site is located approximately 1200 feet northeast of the proposed conversion site. While this general area of the City of Westfield is well developed, the replacement site is uniquely agricultural and the largest land parcel in such proximity. The replacement parcel will allow for many recreational opportunities not available at the Cross Street playground site. The plan for this 33 acre parcel is to have recreational uses including baseball and soccer fields, walking trails, river access, and community gardening. The appraisal for this parcel is \$260,000.00 (33 acres) and the appraisal for the Cross Street parcel (1.37 acres) is \$65,000.00.

The recreational needs currently provided at the Cross Street playground will continue to be provided and expanded there by the proposed improvements to the site. The population to be served by the replacement park will include the currently served Cross Street playground users as well as expanded city-wide users. Therefore, with the Cross Street playground and the proposed replacement 33 acre parcel, recreational opportunities in this area of the city will be greatly expanded. The proposed conversion and replacement facility, taken together, are in accordance with the City of Westfield's Open Space and Recreation Plan (2010).

The ENF included details which determined that the 1.37-acre Article 97 land in question would need to be incorporated into the school property in order to meet the total land area requirements for the school reconstruction. As a result, there does not appear to be any other practicable alternative to the conveyance of the Article 97 land to the City of Westfield for the purposes of inclusion into the school site.

Conclusion

The ENF has sufficiently defined the nature and general elements of the project for the purposes of MEPA review and demonstrated that the project's environmental impacts will be avoided, minimized and/or mitigated to the extent practicable. I find that the proposed conveyance will comply with EEA's Article 97 Land Disposition Policy. Based on review of the ENF and comments received, and in consultation with State Agencies, I have determined that no further MEPA review is required at this time.

October 19, 2012

Date


Philip Griffiths, Undersecretary

Comments received:

10/08/2012 Tom and Dan Smith in behalf of the Cross Street Playground Neighborhood
10/09/2012 Massachusetts Historic Commission

PG/ACC/acc