



City of Woburn Massachusetts

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Scott D. Galvin
Mayor

October 15, 2015

Richard Haggerty, City Council President
Members of Woburn City Council

I am submitting the following orders as they relate to the construction of the new Wyman/Hurld Elementary School at 41 Wyman Street:

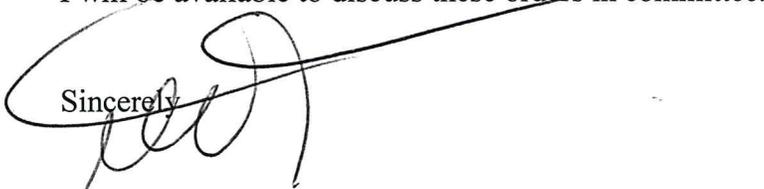
- 1.) The transfer of care and custody of a portion of the site to the School Committee
- 2.) A Special Act to designate the 11.27-acre Hurld School lot on Bedford Road as Article 97 land.

The order to transfer care and custody of the portion of land shown on the plan attached to the order will allow for the construction of a state-of-the-art, three-story educational facility on the northern section of the 7.5 acre lot. The remaining 3.3 acres will remain under the care and custody of the Agricultural Commission, consisting of the pond, farm stand and tree orchard. This retained area will allow the Agricultural Commission to continue providing great events to the community. In addition, there are numerous opportunities to capitalize on the synergies created by the co-location of the school and agricultural/community uses on the site.

The Special Act will facilitate the transfer of the care and custody of the Hurld School site to the Recreation Commission, when the new school opens. Upon the transfer, the land will be designated as open space, and will be used solely for active and passive recreational uses.

I will be available to discuss these orders in committee.

Sincerely,



Scott D. Galvin
Mayor



ORDERED

Be it ordained that the City Council of the City of Woburn vote to transfer, pursuant to M.G.L. c.40, §15A, upon the completion of construction of the new Wyman/Hurld Elementary School building, the care custody and control of a portion of the 7.497 acre parcel of land known as Spence Farm as shown on the 41 Wyman Street Shared Site Use – October 2015 (the “Plan”)], a copy of which is attached to this Order, to the Woburn School Committee for educational purposes, subject to and conditioned upon the following:

1. That the portion of Spence Farm, as shown on the Plan which portion of the plan depicts the farm stand, Farmer’s Market location, pond and tree orchard, will be under the care, custody and control of the Woburn Agricultural Commission.
2. That the City of Woburn retains control and responsibility for the design, and construction and maintenance of the shared stormwater system;
3. That the School Committee shall have an easement allowing for access to the school from Wyman Street as shown on the Plan; The Agricultural Commission will have an easement allowing access to the Spence Farm site from Lowell Street during non-school hours as shown on the Plan
4. That there shall be shared parking to accommodate both the school and patrons of Spence Farm activities;
5. Students and faculty shall have the right of access to the area under the care, custody and control of the Agricultural Commission to allow for recreational use and educational opportunities associated with the Farm’s agricultural activities; The School Committee and the Agricultural Commission shall work cooperatively to ensure this important educational goal is provided.
6. That the whole of Spence Farm remain available to the public for passive and active recreational uses; and
7. That the School Committee, the Mayor and the Agricultural Commission enter into a Memorandum of Understanding regarding all of the above, and that a copy of the Plan be attached thereto and incorporated therein.

Alderman _____

41 Wymman Street | Shared Site Use - October 2015





ORDERED

Be it ordained by the City Council of the City of Woburn that a petition be filed with the General Court that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the Mayor approves amendments to the bill before enactment by the General Court. The Mayor is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

AN ACT RELATIVE TO THE USE OF A PARCEL OF LAND IN THE CITY OF WOBURN FOR RECREATIONAL PURPOSES

SECTION 1. Notwithstanding section 15A of chapter 40 of the General Laws or any other general or special law to the contrary, the land commonly known as the Hurd elementary school and surrounding fields acquired by the city on or about August 12, 1954 and located at 75 Bedford Road in the city of Woburn, shown on assessors map 41 as block 9, lot 16, containing 11.27 acres more or less, and shown on a plan entitled "City of Woburn Land Taking School Building" which is recorded in the Middlesex South Registry of Deeds as Plan No. 1346 of 1954, currently used for educational purposes, shall be under the care, custody and control of the Woburn recreation commission to be used solely for active or passive recreational uses including, but not limited to, community gardens, trails, noncommercial youth and adult sports and park, playground or athletic field purposes; provided, however, that recreational use of such land shall not include horse or dog racing or the use of the land for a stadium, gymnasium or similar structure. Notwithstanding the preceding sentence, the portion of the land shown on the above-referenced plan that is designated for educational purposes shall continue to be under the care, custody and control of the city of Woburn school committee but shall be used for educational purposes only until such time as the newly constructed Wyman/Hurd elementary school is completed and all students receiving educational services at the Hurd school have been reassigned to alternative sites within the Woburn school district, at which time the school committee shall vote to determine whether such property is necessary for educational purposes and, if not, then it shall authorize a transfer of the care, custody and control of the property to the Woburn recreation commission to be used solely for active or passive recreational uses pursuant to this act.

SECTION 2. This act shall take effect upon its passage.

Alderman _____