



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Maura T. Healey
GOVERNOR

Kimberley Driscoll
LIEUTENANT GOVERNOR

Rebecca L. Tepper
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1081
<http://www.mass.gov/eea>

DETERMINATION OF NATURAL RESOURCE VALUE

PROJECT: Proposed Change in Use of Land for the Purpose of Constructing New Water Tanks
MUNICIPALITY: Town of Weston
EEA FILE NUMBER: A97_027_333
PROJECT PROPONENT: Town of Weston
DATE: July 20, 2026

Pursuant to M.G.L. c. 3, § 5A, in order to petition the legislature to use for another purpose or otherwise dispose of land or an interest in land subject to Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts (“Article 97”), a public entity in most cases must, *inter alia*, “identify replacement land or an interest in land, which is not already subject to said Article XCVII, in a comparable location and *that is of equal or greater natural resource value, as determined by the secretary of energy and environmental affairs . . .*” (emphasis added), unless an exception applies. This document provides the determination of natural resource value as to the above-referenced proposal (“Project”).

This determination constitutes solely a determination of natural resource value pursuant to M.G.L. c. 3, § 5A(a)(ii) and does not indicate that the Secretary of Energy and Environmental Affairs takes any position on the Project or on whether it complies with the Executive Office of Energy and Environmental Affairs (“EEA”) Article 97 Land Disposition Policy. This determination reflects the independent analysis of EEA for advisory purposes and does not create any right, benefit, or duty, substantive or procedural, enforceable at law or equity by any party in any judicial or administrative matter.

Project Description:

The Project involves the replacement of three water storage tanks serving the town of Weston. For the purposes of this determination the three sites will be referred to as Paines Hill, Cat Rock and Doublet Hill. After an analysis conducted by the town of Weston, it was determined that all three tanks were reaching the end of their “useable life”, and that the current infrastructure is no longer able provide adequate water storage capacity or hydraulic performance to meet the evolving drinking water and fire protection demands of the town.

The new tanks are being proposed adjacent to the existing tanks, in part because the existing tanks need to remain operational until construction is complete. Additionally, these locations will allow for ease of connection to the system because the infrastructure is already in place and the locations provide the necessary elevation for hydraulic operations.

In all three locations, the proposed sites for the new tanks are on lands subject to Article 97, specifically for the purposes of conservation and passive recreation. The use of the proposed sites for the new water tanks constitutes a change in use of the impacted land, resulting in a total impact of approximately 4.50 acres (Paines Hill is ~1.27 acres, Cat Rock is ~1.72 acres, Doublet Hill is ~1.52 acres, collectively the “Impacted Land”). As mitigation for these impacts, the town of Weston is proposing to transfer an approximately 5 acre portion of land (“Replacement Land”), currently being held for general municipal purposes, to the conservation commission to be held for conservation and passive recreation purposes subject to Article 97.

The Project is described in more detail in the Alternatives Analysis and Supplemental Materials which are posted on EEA’s website¹.

Information Considered:

This determination is based on a review of the Alternatives Analysis, other materials received by EEA in relation to the project, and EEA’s independent analysis. EEA’s analysis also included a site walk of both the Impacted Land and Replacement Land conducted on December 20, 2024 and the use of GIS and EEA’s Article 97 Natural Resource Site Evaluation Tool (“NRSET”) to characterize the Natural Resource Value of the Impacted Land and Replacement Land. The results of these evaluations are attached to this determination as Exhibits A-D.

Characterization of Impacted Land:

The Impacted Land consisted of three portions of land, all held by the town of Weston conservation commission, totaling approximately 4.50 acres. The majority of the Impacted Land consists of forested lands with values consistent with that land cover type such as wildlife habitat, water resource protection, scenic open space, recreational trails, and climate resiliency. These lands are part of larger conservation areas which contain extensive trail networks and unique scenic features, such as the Doublet Hill peaks and Cat Rock scenic overlook.

The NRSET evaluations identify similar natural resource data layers across all three impacted lands, including the same EPA ecoregion (Southern New England Coastal Plains and Hills) and Outstanding Resource Waters (Stony Brook Reservoir). Prime Forest Land, Surface Water Protection Areas and proximate hiking trails are also found on all three impacted land areas.

Characterization of Replacement Land:

The Replacement Land consists of approximately 5 acres of currently unprotected land. The land contains both forested portions and open fields/meadows with natural resource values consistent with this land cover type, such as wildlife habitat, scenic open space, agriculture, recreational trails, and climate resiliency. The Replacement Land is situated between a corridor consisting of 3 miles of trails to the north and a large corridor of trails and protected land to the south. The Replacement Land acts as a link between these two unique areas and trail networks. There is an existing trail for passive recreation on the property, but not currently on the portion that is being proposed as the Replacement Land. As part of the dedication

¹ [https://www.mass.gov/info-details/article-97-an-act-preserving-open-space-in-the-commonwealth-mgl-c-3-ss-5a#:~:text=97\)%20establishes%20a%20right%20to,or%20easements%20subject%20to%20Art.](https://www.mass.gov/info-details/article-97-an-act-preserving-open-space-in-the-commonwealth-mgl-c-3-ss-5a#:~:text=97)%20establishes%20a%20right%20to,or%20easements%20subject%20to%20Art.)

of this land, the town intends to move the walking trail onto this portion of the land, ensuring that the connector trail remains permanently on the protected land.

The NRSET evaluation identified natural resource data layers including Prime Forest Land, Prime Farmland Soils and proximity to hiking trails. The evaluation also showed that the land is within the Southern New England Coastal Plains and Hills EPA Ecoregion.

Determination:

The Replacement Land is of equal or greater Natural Resource Value as compared to the Impacted Land. The Impacted Land and Replacement Land share similar natural resource values and Article 97 purposes, most notably access to hiking trails and passive recreation, forested land, climate change resiliency, wildlife habitat and connectivity to other protected lands. The proposed project will not result in loss of access to the broader conservation areas and trail networks, whereas the Replacement Land will permanently protect a critical link between two conservation/recreational corridors. While the NRSET for the Replacement Land does not identify surface water protection areas or Outstanding Resource Waters corresponding to those in the Impacted Land, these resources represent only one component of the overall natural resource value of the Impacted Land.² Finally, the Replacement Land is larger in area as compared to the Impacted Land, resulting in a net gain of land subject to Article 97. All of these factors were considered in making this determination.

² Demolition of the existing tanks and re-naturalization of the former tank sites is expected to restore portions of the disturbed landscape, thereby partially restoring ecological functions, including stormwater infiltration and water resource protection.

Impacted Land NRSET Evaluation: Paines Hill



Screening Report: 0 Chestnut Paines Hill Tank

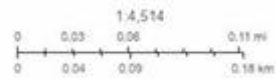
Area of Interest (AOI) Information

Area : 1.27 acres

Nov 19 2024 16:28:35 Eastern Standard Time



 OpenSpace Protected with Article 97
 MassGIS Parcels
 MA Municipalities



Bay Community Maps Contributors, Boston College Campus GIS, MassGIS, B. OpenStreetMap, Microsoft, Esri, Trimble, Garmin, SafeGraph, GeoTechnologies, Inc, NHTSA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Summary

Name	Count	Area(acres)	Length(ft)
Protected OpenSpace other than Article 97 Land	0	0	N/A
OpenSpace Protected with Article 97	3	1.27	N/A
NHESP Priority Habitats of Rare Species	0	0	N/A
NHESP Natural Communities	0	0	N/A
BioMap - Aquatic Core Habitat	0	0	N/A
BioMap - Wetland Core Habitat	0	0	N/A
BioMap - Forest Core Habitat	0	0	N/A
BioMap - Vernal Pool Core Habitat	0	0	N/A
BioMap Critical Natural Landscape - Landscape Blocks	0	0	N/A
BioMap Critical Natural Landscape - Coastal Adaptation Areas	0	0	N/A
BioMap Critical Natural Landscape - Tern Foraging Habitat	0	0	N/A
NHESP Estimated Habitats of Rare Species	0	0	N/A
Long Distance Trails 10m buffer	0	0	N/A
Hiking Wilderness Trails with 10 meter buffer	0	0	N/A
Bike Trails with 10 meter buffer	0	0	N/A
EPA Ecoregions	1	1.27	N/A
SSURGO Soils: Prime Farmland Soils	0	0	N/A
Prime Forest Land	1	1.27	N/A
Outstanding Resource Waters	1	1.27	N/A
Aquifers	0	0	N/A
Sole Source Aquifers	0	0	N/A
Areas of Critical Environmental Concern	0	0	N/A
Surface Water Protection Areas: Zone B	0	0	N/A
Surface Water Protection Areas: Zone C	1	1.27	N/A
Groundwater Protection Areas: Interim Wellhead PAs	0	0	N/A
Groundwater Protection Areas: Zone I	0	0	N/A
Groundwater Protection Areas: Zone II	0	0	N/A
FEMA 1% / 100 yr. flood zones	0	0	N/A

OpenSpace Protected with Article 97

#	SITE_NAME	FEE_OWNER	Area(acres)
1	Weston Water Department	Town of Weston	< 0.01
2	Highland Street Forest	Town of Weston	1.27

EPA Ecoregions

#	Ecoregion	Area(acres)
1	Southern New England Coastal Plains and Hills	1.27

Prime Forest Land

#	Prime category	Area(acres)
1	Prime 1	1.27

Outstanding Resource Waters

#	ORW_NAME	Area(acres)
1	STONY BROOK RES.	1.27

Surface Water Protection Areas: Zone C

#	SITE_NAME	Area(acres)
1	STONY BROOK RES.	1.27

EXHIBIT B

Impacted Land NRSET Evaluation: Cat Rock

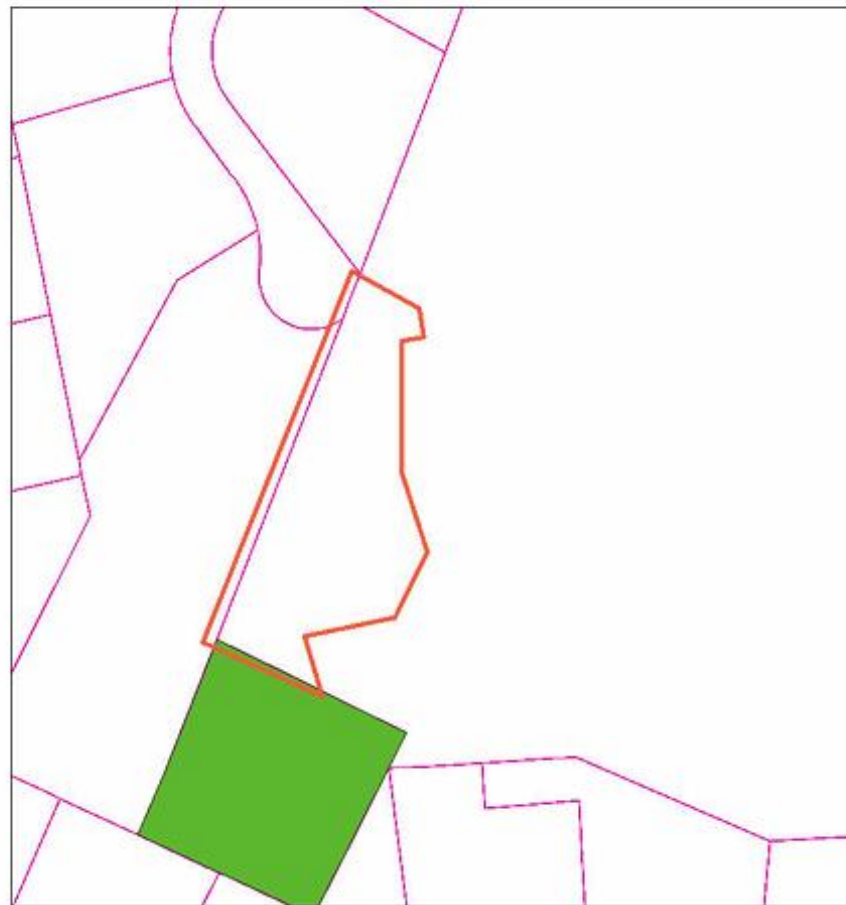


Screening Report: Cat Hill Tank - Impacted Land

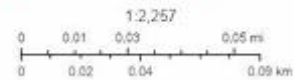
Area of Interest (AOI) Information

Area : 1.72 acres

Nov 19 2024 16:43:10 Eastern Standard Time



-  OpenSpace Protected with Article 97
-  MassGIS Parcels
-  MA Municipalities



ESRI Community Maps Contributors: Boston College Campus GIS, City of
Watkins, Nevada, & Centralstate, Microsoft, Esri, Bentley, Garmin,
CARTAGINE, GeoTechnologies, Inc., NBT/NADA, USGS, EPA, NPS, US
Census Bureau, USDA, USFWS

Summary

Name	Count	Area(acres)	Length(ft)
Protected OpenSpace other than Article 97 Land	0	0	N/A
OpenSpace Protected with Article 97	1	0.03	N/A
NHESP Priority Habitats of Rare Species	0	0	N/A
NHESP Natural Communities	0	0	N/A
BioMap - Aquatic Core Habitat	0	0	N/A
BioMap - Wetland Core Habitat	0	0	N/A
BioMap - Forest Core Habitat	0	0	N/A
BioMap - Vernal Pool Core Habitat	0	0	N/A
BioMap Critical Natural Landscape - Landscape Blocks	0	0	N/A
BioMap Critical Natural Landscape - Coastal Adaptation Areas	0	0	N/A
BioMap Critical Natural Landscape - Tern Foraging Habitat	0	0	N/A
NHESP Estimated Habitats of Rare Species	0	0	N/A
Long Distance Trails 10m buffer	0	0	N/A
Hiking Wilderness Trails with 10 meter buffer	2	0.63	N/A
Bike Trails with 10 meter buffer	0	0	N/A
EPA Ecoregions	1	1.72	N/A
SSURGO Soils: Prime Farmland Soils	0	0	N/A
Prime Forest Land	1	1.69	N/A
Outstanding Resource Waters	1	1.72	N/A
Aquifers	0	0	N/A
Sole Source Aquifers	0	0	N/A
Areas of Critical Environmental Concern	0	0	N/A
Surface Water Protection Areas: Zone B	0	0	N/A
Surface Water Protection Areas: Zone C	1	1.72	N/A
Groundwater Protection Areas: Interim Wellhead PAs	0	0	N/A
Groundwater Protection Areas: Zone I	0	0	N/A
Groundwater Protection Areas: Zone II	0	0	N/A
FEMA 1% / 100 yr. flood zones	0	0	N/A

OpenSpace Protected with Article 97

#	SITE_NAME	FEE_OWNER	Area(acres)
1	Weston Water Department	Town of Weston	0.03

Hiking Wilderness Trails with 10 meter buffer

#	SITE_NAME	Shape__Area	Shape__Length	Area(acres)
1	WESTON WATER DEPARTMENT	5766.956955	626.375655	0.03
2	CAT ROCK HILL	79102.240982	7353.358476	0.60

EPA Ecoregions

#	Ecoregion	Area(acres)
1	Southern New England Coastal Plains and Hills	1.72

Prime Forest Land

#	Prime category	Area(acres)
1	Prime 3	1.69

Outstanding Resource Waters

#	ORW_NAME	Area(acres)
1	STONY BROOK RES.	1.72

Surface Water Protection Areas: Zone C

#	SITE_NAME	Area(acres)
1	STONY BROOK RES.	1.72

EXHIBIT C

Impacted Land NRSET Evaluation: Doublet Hill



Screening Report: Doublet Hill Road - Impacted Land

Area of Interest (AOI) Information

Area : 1.52 acres

Jun 10 2026 13:34:44 Eastern Daylight Time



Summary

Name	Count	Area(acres)	Length(ft)
Protected OpenSpace other than Article 97 Land	0	0	N/A
OpenSpace Protected with Article 97	2	1.52	N/A
NHESP Natural Communities	0	0	N/A
BioMap - Aquatic Core Habitat	0	0	N/A
BioMap - Wetland Core Habitat	0	0	N/A
BioMap - Forest Core Habitat	0	0	N/A
BioMap - Vernal Pool Core Habitat	0	0	N/A
BioMap Critical Natural Landscape - Landscape Blocks	0	0	N/A
BioMap Critical Natural Landscape - Coastal Adaptation Areas	0	0	N/A
BioMap Critical Natural Landscape - Tern Foraging Habitat	0	0	N/A
Long Distance Trails with a 10 meter buffer	0	0	N/A
Hiking Wilderness Trails with 10 meter buffer	2	0.93	N/A
Bike Trails with 10 meter buffer	0	0	N/A
EPA Ecoregions	1	1.52	N/A
SSURGO Soils: Prime Farmland Soils	0	0	N/A
Prime Forest Land	1	1.07	N/A
Outstanding Resource Waters	1	1.52	N/A
Aquifers	0	0	N/A
Sole Source Aquifers	0	0	N/A
Areas of Critical Environmental Concern	0	0	N/A
Surface Water Protection Areas: Zone B	1	0.06	N/A
Surface Water Protection Areas: Zone C	1	1.46	N/A
Groundwater Protection Areas: Interim Wellhead PAs	0	0	N/A
Groundwater Protection Areas: Zone I	0	0	N/A
Groundwater Protection Areas: Zone II	0	0	N/A
FEMA 1% / 100 yr. flood zones	0	0	N/A
DEP Wetland Areas	0	0	N/A

OpenSpace Protected with Article 97

#	SITE_NAME	FEE_OWNER	Area(acres)
1	Weston Water Department	Town of Weston	< 0.01
2	Doublet Hill Conservation Area	Town of Weston	1.51

Hiking Wilderness Trails with 10 meter buffer

#	SITE_NAME	Shape__Area	Shape__Length	Area(acres)
1	No Data	64230577.638914	6549095.973627	0.04
2	DOUBLET HILL CONSERVATION AREA	77687.610291	7328.254265	0.89

EPA Ecoregions

#	Ecoregion	Area(acres)
1	Southern New England Coastal Plains and Hills	1.52

Prime Forest Land

#	Prime category	Area(acres)
1	Prime 3	1.07

Outstanding Resource Waters

#	ORW_NAME	Area(acres)
1	STONY BROOK RES.	1.52

Surface Water Protection Areas: Zone B

#	SOURCE_ID	SWPZONE	ACRES	SITE_NAME	PWSID
1	3049000-03S	B	831.94	STONY BROOK RES.	3049000

#	SUPPLIER	DELINYEAR	DELINTYPE	COMMENTS	Area(acres)
1	CAMBRIDGE WATER DEPARTMENT	No Data	MGIS TERRAIN	ZONE A EDITED TO INCLUDE UPPER RES, ZONE B TO INCLUDE ZONE A -- GAULIN_R	0.06

Surface Water Protection Areas: Zone C

#	SITE_NAME	Area(acres)
1	STONY BROOK RES.	1.46

Jun 10 2026 13:54:30 Eastern Daylight Time



Summary

Name	Count	Area(acres)	Length(ft)
Protected OpenSpace other than Article 97 Land	0	0	N/A
OpenSpace Protected with Article 97	0	0	N/A
NHESP Natural Communities	0	0	N/A
BioMap - Aquatic Core Habitat	0	0	N/A
BioMap - Wetland Core Habitat	0	0	N/A
BioMap - Forest Core Habitat	0	0	N/A
BioMap - Vernal Pool Core Habitat	0	0	N/A
BioMap Critical Natural Landscape - Landscape Blocks	0	0	N/A
BioMap Critical Natural Landscape - Coastal Adaptation Areas	0	0	N/A
BioMap Critical Natural Landscape - Tern Foraging Habitat	0	0	N/A
Long Distance Trails with a 10 meter buffer	0	0	N/A
Hiking Wilderness Trails with 10 meter buffer	1	0.20	N/A
Bike Trails with 10 meter buffer	0	0	N/A
EPA Ecoregions	1	5.08	N/A
SSURGO Soils: Prime Farmland Soils	2	5.04	N/A
Prime Forest Land	2	1.01	N/A
Outstanding Resource Waters	0	0	N/A
Aquifers	0	0	N/A
Sole Source Aquifers	0	0	N/A
Areas of Critical Environmental Concern	0	0	N/A
Surface Water Protection Areas: Zone B	0	0	N/A
Surface Water Protection Areas: Zone C	0	0	N/A
Groundwater Protection Areas: Interim Wellhead PAs	0	0	N/A
Groundwater Protection Areas: Zone I	0	0	N/A
Groundwater Protection Areas: Zone II	0	0	N/A
FEMA 1% / 100 yr. flood zones	0	0	N/A
DEP Wetland Areas	0	0	N/A

Hiking Wilderness Trails with 10 meter buffer

#	SITE_NAME	Shape__Area	Shape__Length	Area(acres)
1	No Data	64230577.638914	6549095.973627	0.20

EPA Ecoregions

#	Ecoregion	Area(acres)
1	Southern New England Coastal Plains and Hills	5.08

SSURGO Soils: Prime Farmland Soils

#	Prime category	Area(acres)
1	All areas are prime farmland	5.04

Prime Forest Land

#	Prime category	Area(acres)
1	Prime 2	0.03
2	Prime 1	0.98