SMMA
1000 Massachusetts Ave.
Cambridge, MA 02138

Memorandum

To:	Jenny Graham, Chair, MCHSBC	Project Number:	25100.00
From:	Lorraine Finnegan	Date:	05/20/2026
Project Name:	Medford High School		
RE:	Survey and Deed Information & MSBA Process		
Distribution:	Helen Fantini, Matt Rice, Matt Gulino, Jen Carlson		

Jenny,

As requested, and discussed last week, the following information outlines the history of the property line research and 1967 deed restriction discovery on parcels 3 & 5 (Attachment A) as well as the MSBA Process and requirements all Districts must follow with respect to developmental restrictions.

For reference, the MSBA Feasibility Study Guidelines as set forth in Module 3 – Feasibility Study Section 3.1.4 Evaluation of Existing conditions requires that the Designer will analyze existing conditions of all buildings that comprise the school, site, and environment. The existing conditions study includes among other things:

- Determination that the District has legal title to the property, or alternatively, the required actions necessary to obtain clear title or to control, in accordance with the provisions of 963 CMR 2.05 (1), and operate the Assisted Facility and Project Site for the useful life of the Assisted Facility;

  The City of Medford has legal title to the property, and the Medford High School is the current Owner -per City of Medford Assessors card

- Determination that the property is available for development;

  The Property belongs to the City, and the current owner is the Medford High School

- Determination of any development restrictions that may apply;

  The development restrictions apply to parcels 3 & 5 on Attachment A

The boundary survey is used by the design team to define the limits of the “site” available for development and what is typically used to help confirm these three determinations.

The Contract for Designer services executed on November 26, 2025, included the services of Brennan Consultants as a sub-consultant to the Designer to produce the existing conditions survey and boundary survey. [Note that the City provided a Notice to Proceed letter to SMMA on November 17, 2025.]

An existing conditions survey includes locating all structures (buildings, walls, fences etc.), above-surface site features, wetland flags and utilities as well as documenting topography. The boundary survey provides the location of the property lines and adjacent right of ways (roadways). Typically, due to the length of time it takes to conduct these surveys (12-16 weeks is typical), the existing conditions portion of the work is undertaken initially, and the boundary confirmation follows.

Typically, survey teams utilize recorded plans from the Registry which indicate monumentation (old walls, stone bounds, pipes etc.) and bearings and distances to "generally" locate and identify the boundary in the field and then revisit the recorded plans **and review the deeds** to confirm monumentation, bearings and distances after the field work and drafting of the survey is produced and before a final stamped survey is delivered.

Typically, at the outset of a project the SMMA team will review the State GIS Website for both Wetlands and the "Open Space Article 97" layers. This website is helpful in providing background information on sites in advance of on-site field investigations. While this website is not the only location to confirm wetlands and/or restricted land, this can be a source of such information. SMMA reviewed this website in the fall of 2025, and it did not (nor does today) identify parcels 3 & 5 as restricted, although we now know that they have a restriction, (refer to Attachment B).

Timeline of survey development:

On November 21, 2025, SMMA formally engaged the services of Brennan Consulting to perform the Existing Conditions and Boundary Survey of the approximately 29-acre parcel at 489 Winthrop Street. Brennan's scope as outlined in their proposal dated October 10, 2025, included "Boundary and Right of Way research will be performed to determine property lines." A copy of their proposal was included within the SMMA proposal, (refer to attachment I for Brennan's proposal).

In advance of their formal engagement, Brennan Consulting began collecting information in anticipation of the significant field work required heading into the winter and to try and assist advancing the process before critical site elements might be covered with snow which would have delayed the completion of the survey by several months. This advance work included downloading plans from the Registry of deeds for the High School site and all direct abutters and adjacent roadways, requesting record drawings of utilities from 15 different utility companies including but not limited to Medford DPW, Electric Utility Companies, Gas Utility Companies and submitting a public records request to DCR for any relevant plans for the Fells as they are a direct abutter.

As a result of this advanced work, on November 04, 2025, Brennan received 4 plans from DCR identifying parcels on and adjacent to the project site. There was no deed reference or restriction attached to these plans, (refer to attachment C).

On December 04, 2025, during the course of the boundary survey research Brennan contacted the City of Medford Engineering Division to coordinate the sharing of any plans on file for the

property. On the same day the City shared several files for the property, there was no record of the 1967 Plans in the files shared by the City, (refer to attachments D & G).

On December 16, 2026, in a subsequent follow-up with Medford Engineering, Brennan inquired about a 1975 land transfer plan that was discovered during their review relating to a proposed transfer between the City and DCR for the Skate Park and 0-Ronaele Road area of the site – this transfer was never executed. Note – these are not the parcels in question (refer to Attachment E).

On December 17, 2025, Brennan Consulting contacted DCR regarding the 1975 Land Transfer noted above. A response from DCR indicated that the plan in question was not in their records and the only plans they had for Medford HS had already been transmitted to them (Attachment C). It has since been confirmed that the 1975 transfer was never executed or recorded.

On January 28th, 2026, at the request of SMMA, Leftfield contacted DCR to begin coordination for the project. This was a general coordination request as neighbors.

On February 6th, 2026, SMMA received a draft survey from Brennan outlining the existing conditions and the property lines. No reference to any deed restrictions were noted on the plans.

On February 11th, 2026, District representatives, SMMA, Leftfield, and DCR met (virtually) for an introduction to the project.

On February 25th, 2026, the Preliminary Design Program (PDP) submittal was issued to the MSBA.

On March 11, 2026, District representatives, SMMA, Leftfield, Medford Police & Fire, and DCR met again (virtually) with the conversation specifically focused on the desire to explore the potential for a secondary access road which would likely result in a need to work on DCR owned land.

Between mid-February (after draft survey) and March 15th (before the final survey), Brennan Consulting reviewed the 13 deeds associated with the High School property (refer to attachment H) and the 75+/- plans of surrounding parcels to “tie-down” the boundary. It was during this review that Brennan became aware of the restriction but failed to notify SMMA.

On March 17th, 2026, SMMA received the final survey from Brennan Consulting. No reference to any deed restrictions were noted on the plans. Brennan Consulting did not make SMMA aware of any deed restriction unearthed during the course of the boundary survey research when they transmitted the final plans.

Notification of Restriction and follow up:

On April 28th, 2026, DCR sent a follow up email to LeftField as a result of the March 11th meeting which included a reference to a deed restriction on the property, a copy of the deed and similar plans to those transmitted on November 4th except this version includes the registry stamp, book and page reference (refer to attachment F). According to DCR, there has been no Memorandum of Understanding (MOU) or Memorandum of Agreement (MOA) executed which removed the restriction.

Since that time, SMMA and Brennan Consulting have been coordinating on the exact location and language of said deed restriction. SMMA has subsequently requested and received from Brennan Consulting an updated FINAL survey with the restricted areas noted for reference.

Brennan Consulting does not believe they acted in error in failing to identify the restriction on the boundary survey because in their opinion restrictions like these are not something most firms would show on an existing conditions plan with boundary. Brennan believes disclosing encumbrances on plans is required only when an ALTA plan is being requested. An ALTA survey is a higher level of survey typically required when purchasing, developing or financing commercial real estate. It includes a title search back to before the property was first divided. This is not a typical survey required to meet the needs of an MSBA project unless a District is purchasing new property for their chosen site.

Brennan Consulting did acknowledge that it would have been prudent of them to notify SMMA of this restriction in the deed once unearthed, so the City could look into this further to determine if there are any developmental restrictions on the existing high school site that might impact the project.

SMMA is currently exploring the impacts of this restriction on the remaining design options and is producing additional alternatives that mitigate buildings on these parcels as requested by the City. Initially, the SMMA team felt developing additional options working within the site limitations could limit the program established with the Medford Leadership Team and believed pursuing a land transfer with DCR would provide the City with the best outcome. However, following the Community meeting on May 11th a clear preference for the “C” options was vocalized. These new “C” options work within the boundaries of the site and the developed program without compromise or the need for a land transfer with DCR.

MSBA and Project Requirements:

It should be noted that many Cities and Towns experience the need to transfer land between entities, undertake land takings, navigate standing easements etc. and there is a detailed process under which to accomplish this. SMMA has successfully assisted school communities with many of these in the past and more specifically is currently almost complete with a land transfer through an Article 97 Process for a neighboring community.

Additionally, because this is not an uncommon practice, the Massachusetts School Building Authority (MSBA) has accounted for this in their process.

Specifically, Project Advisory 88 requires the Project Team to complete a State Site Permit Tracking worksheet and submit **with the Schematic Design Submittal** to ensure both the City/Town and the Project team have reviewed and identified all potential permits for the Project.

Project Advisory 45 - Requirements for Land Use - advises the project team on the steps necessary to identify any land use challenges and how they might affect project approvals. The advisory requires site options to be presented *with potential development restrictions* in the Preliminary Design program (PDP), and all potential site development and site issues **must be identified by the conclusion of the Preferred Schematic Phase (PSR).**

On February 25, 2026, the PDP submittal was issued to the MSBA. This was in advance of receiving the final survey and knowledge of the deed restriction and therefore did not indicate this land use challenge.

On May 04, 2026, Leftfield notified MSBA of the deed restriction.

On June 25, 2026, the PSR submittal will be issued to the MSBA and it will identify any potential site development restrictions and site issues as required by the MSBA Guidelines.

Land use challenges do not preclude a project from proceeding through the MSBA process. The MSBA has very clear and detailed instructions through their Guidelines and Project Advisories (beyond Statute 963 CMR) that identifies the steps Districts must take on projects, and the Medford High School project is proceeding according to those guidelines and the MSBA is aware of the progress of the project including the deed restriction development.

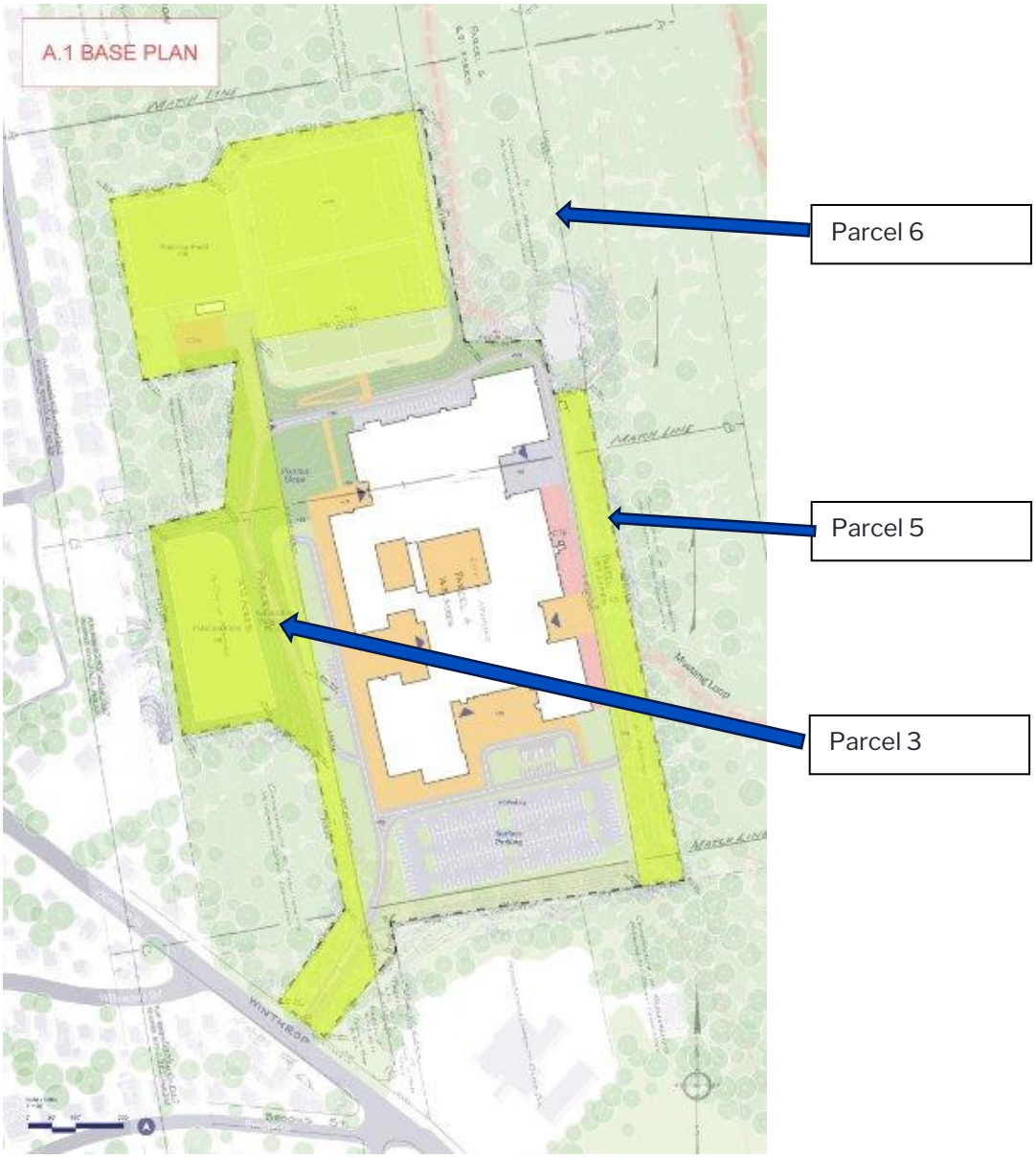
The delay in notification of the deed restriction is unfortunate; however, it is something the project can work through regardless of which alternative is chosen. Should the City determine that going through the process to remove the deed restriction is desired it should not impact the overall project schedule as these approvals (if required) are typically undertaken during Schematic Design and Design Development Phases.

The Project Team is dedicated and committed to assisting the District navigate this development.

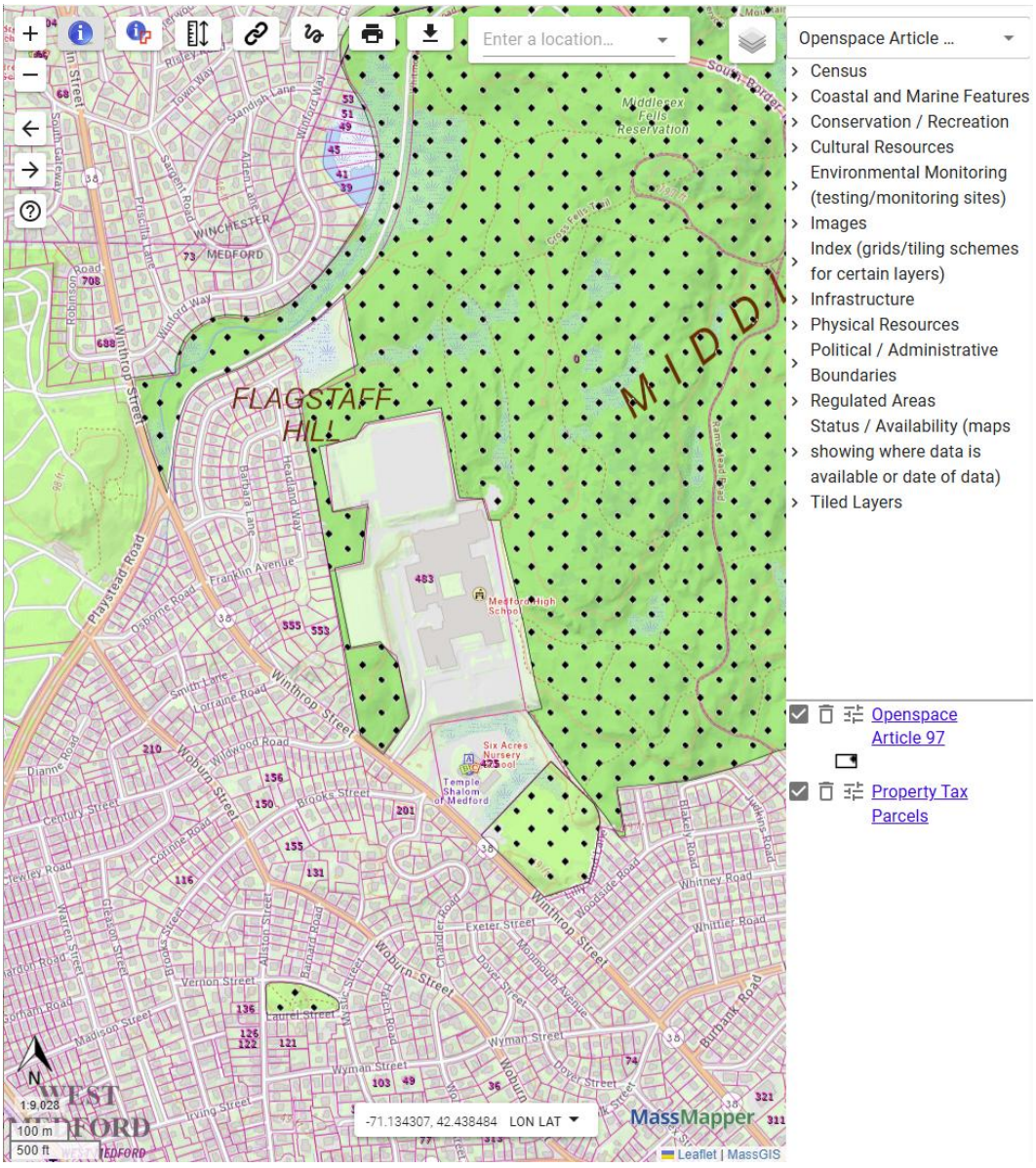
Attachments:

1. Attachment A - Deed Restriction Parcel Diagram
2. Attachment B - State GIS Website “Open Space Article 97” layer
3. Attachment C – DCR Plans sent November 4, 2025
4. Attachment D – City of Medford file transfer
5. Attachment E – Plan of 1975 Land Transfer – Never executed
6. Attachment F – DCR plans and deed sent April 29, 2026
7. Attachment G – Brennan emails with the City and DCR
8. Attachment H – High School Property deeds
9. Attachment I – Brennan Consulting proposal

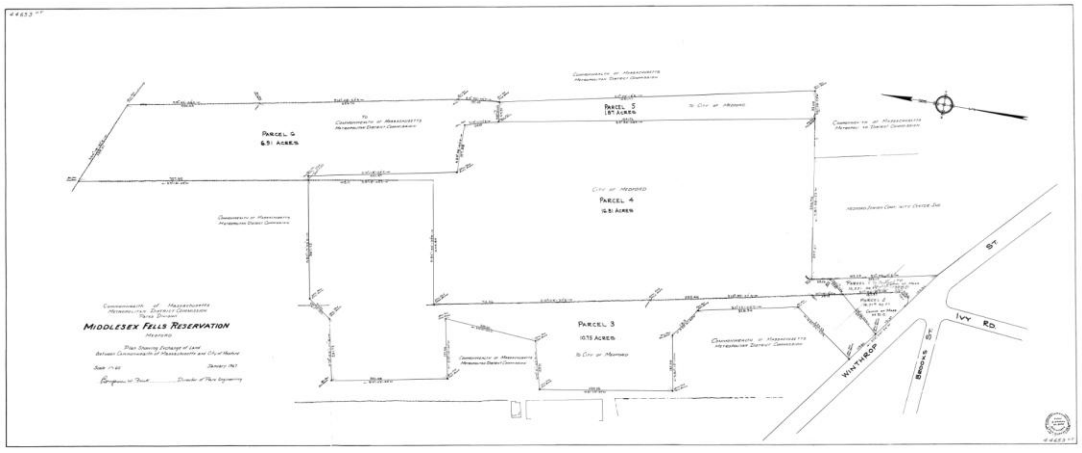
Attachment A: Deed Restriction Diagram (SMMA Slide from Community Meeting 05-11-2026)

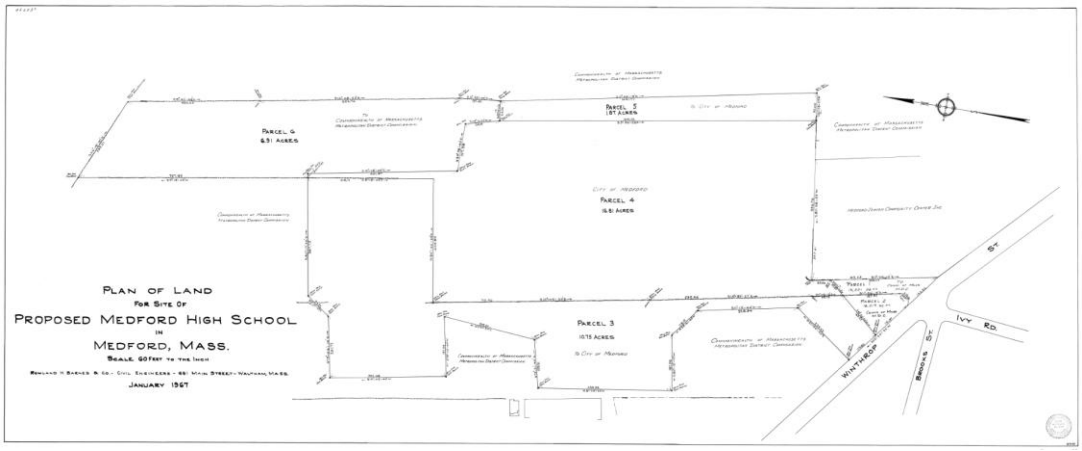


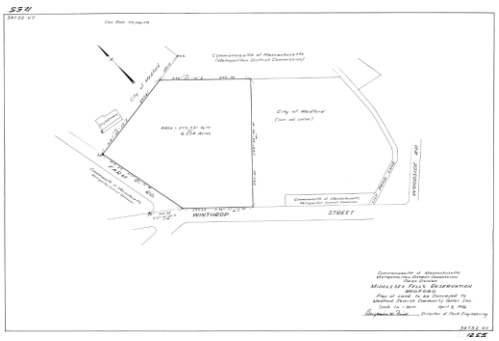
Attachment B: State GIS Website “Open Space Article 97” layer

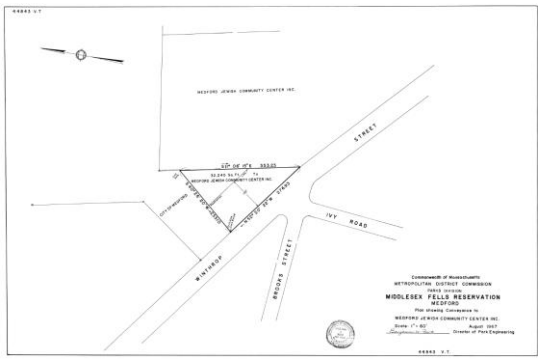


Attachment C: DCR Plans sent November 4, 2025

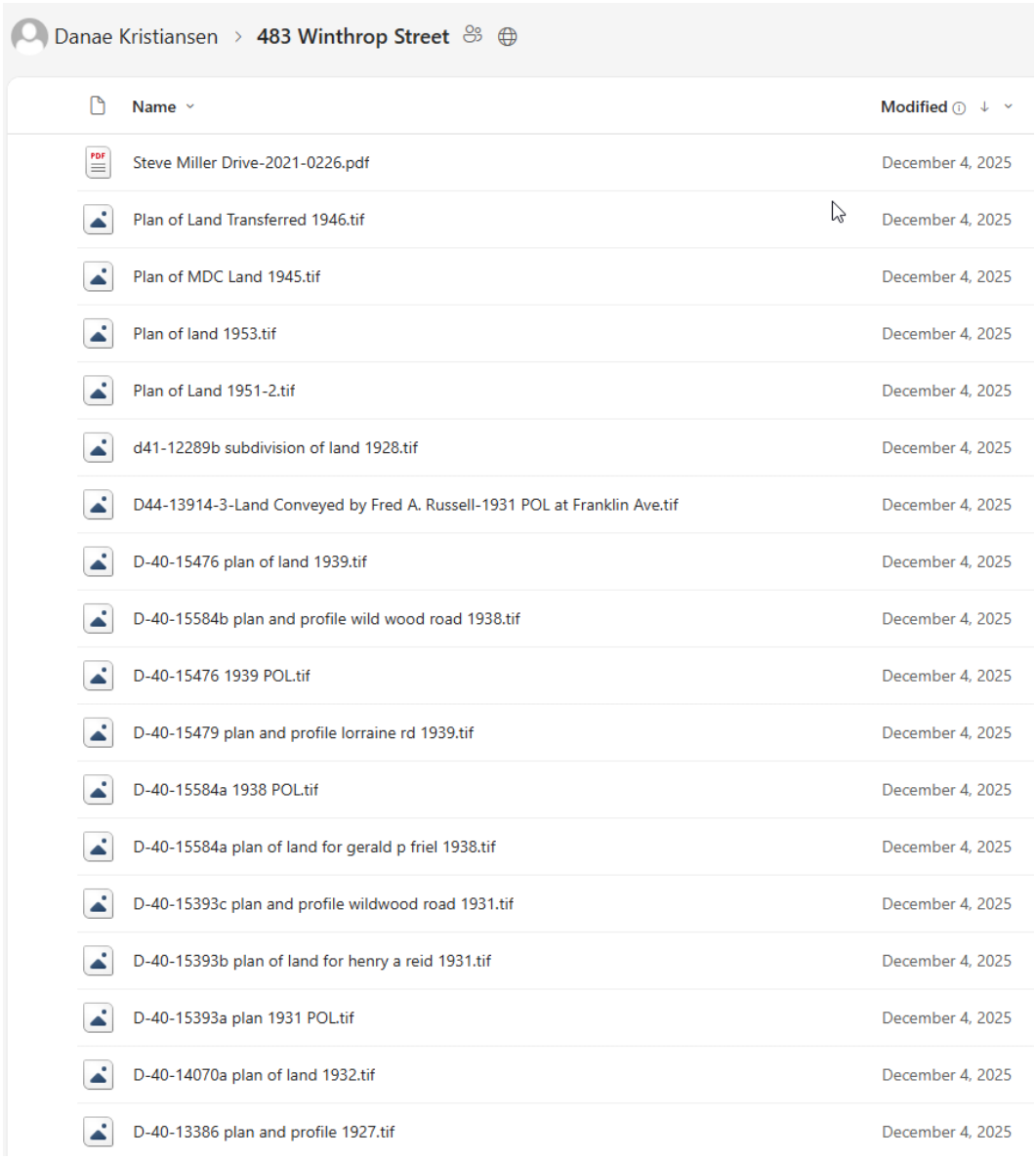


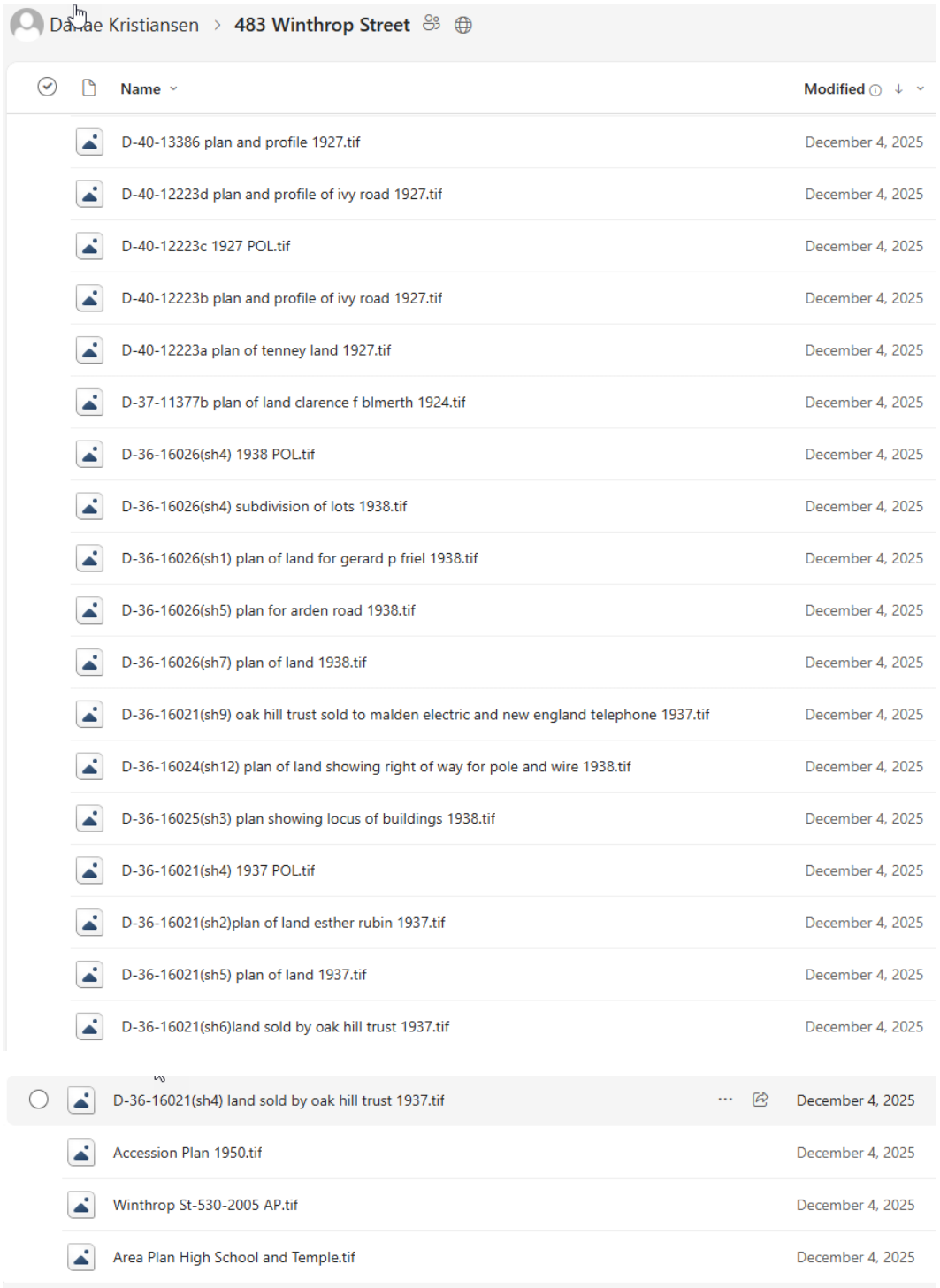




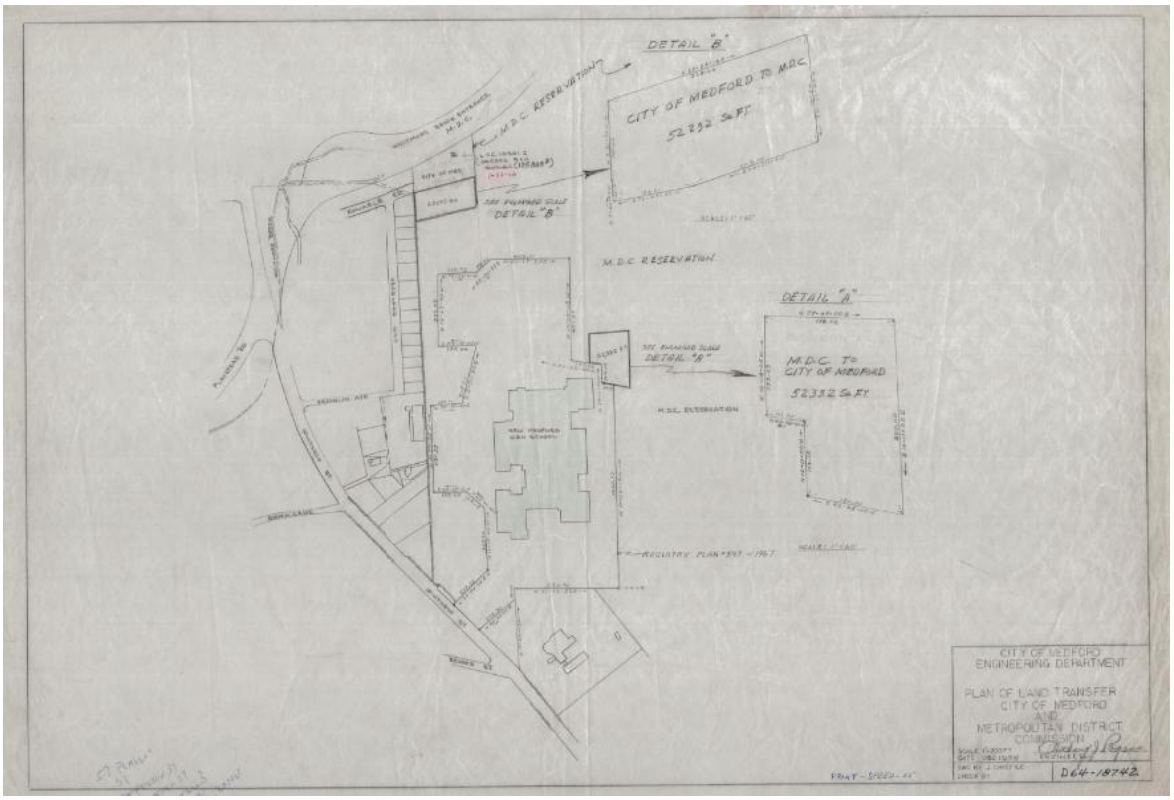


Attachment D: Shared files from the City of Medford

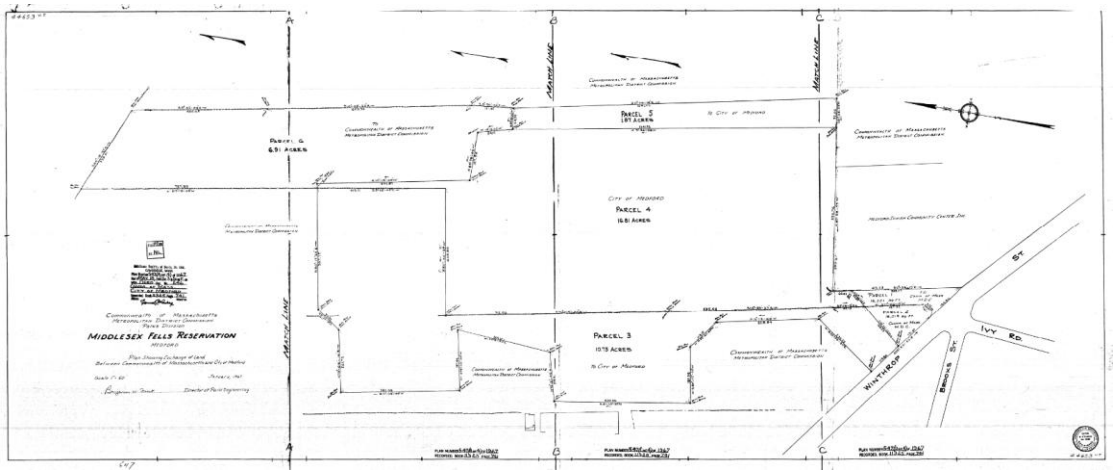



Da..ae Kristiansen
483 Winthrop Street
Name
Modified
D-40-13386 plan and profile 1927.tif
December 4, 2025
D-40-12223d plan and profile of ivy road 1927.tif
December 4, 2025
D-40-12223c 1927 POL.tif
December 4, 2025
D-40-12223b plan and profile of ivy road 1927.tif
December 4, 2025
D-40-12223a plan of tenney land 1927.tif
December 4, 2025
D-37-11377b plan of land clarence f blmerth 1924.tif
December 4, 2025
D-36-16026(sh4) 1938 POL.tif
December 4, 2025
D-36-16026(sh4) subdivision of lots 1938.tif
December 4, 2025
D-36-16026(sh1) plan of land for gerard p friel 1938.tif
December 4, 2025
D-36-16026(sh5) plan for arden road 1938.tif
December 4, 2025
D-36-16026(sh7) plan of land 1938.tif
December 4, 2025
D-36-16021(sh9) oak hill trust sold to malden electric and new england telephone 1937.tif
December 4, 2025
D-36-16024(sh12) plan of land showing right of way for pole and wire 1938.tif
December 4, 2025
D-36-16025(sh3) plan showing locus of buildings 1938.tif
December 4, 2025
D-36-16021(sh4) 1937 POL.tif
December 4, 2025
D-36-16021(sh2)plan of land esther rubin 1937.tif
December 4, 2025
D-36-16021(sh5) plan of land 1937.tif
December 4, 2025
D-36-16021(sh6)land sold by oak hill trust 1937.tif
December 4, 2025
D-36-16021(sh4) land sold by oak hill trust 1937.tif
December 4, 2025
Accession Plan 1950.tif
December 4, 2025
Winthrop St-530-2005 AP.tif
December 4, 2025
Area Plan High School and Temple.tif
December 4, 2025

Attachment E: Plan of 1975 Land Transfer (never executed)



Attachment F: DCR plans and deed sent by DCR on April 28, 2026



Excerpted from the DCR deed conveying land to the City of Medford:

The aforesaid premises are conveyed subject to the following restrictions for the benefit of the remaining land of the Commonwealth of Massachusetts abutting the land herein conveyed, which restrictions shall remain in effect for a period of nine hundred ninety-nine (999) years from the date hereof.

1. Said premises shall be used only for recreation and athletic purposes except that portion set aside for an access road, and that in the event said land shall cease to be used for recreation and athletic purposes, it shall revert to the Grantor or such other authority as shall, for the time being, have control of said abutting land on behalf of the Commonwealth of Massachusetts.

2. That no buildings or structures, or parts thereof, shall be erected, placed, or maintained on said land.

Attachment G: Brennan Consulting emails with the City of Medford and DCR.

Attachment I: Brennan Consulting Proposal