

Bond Case Briefs

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Emerald Necklace Conservancy, Inc. v. City of Boston

Supreme Judicial Court of Massachusetts, Suffolk - August 19, 2026 - N.E.3d - 498 Mass. 183 - 2026 WL 2416422

Nonprofit conservation organization and residents brought action against city, school committee, and private soccer entities, seeking declaratory and injunctive relief regarding proposed renovation and lease of stadium located in public park, alleging violations of public charitable trust terms and constitutional requirements for disposition of parkland.

The Superior Court Department, Suffolk County, dismissed claims for breach of public charitable trust for lack of standing, and after three-day bench trial, entered judgment in favor of defendants on remaining claims.

Organization and residents appealed, and Supreme Judicial Court transferred case on its own initiative.

The Supreme Judicial Court held that:

- Organization and residents lacked standing to assert breach of charitable trust claim;
- Stadium parcel was not subject to constitutional amendment requiring two-thirds vote of Legislature for disposition of parklands;
- Soccer league was granted a license, not an easement; and
- Construction and improvement outside stadium parcel did not constitute change of use requiring supermajority vote of Legislature.