The Committee to Advise on Land Acquisitions

Town of Weston

February 28, 2000
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Summary of Recommendations

1. The Committee to Advise of Land Acquisition, (CALA) recommends no new land acquisition for current needs of town departments.

2. CALA recommends the Selectmen begin active negotiations with the Arnold Arboretum, Harvard University to acquire or control the future use of the entire Case Estates.

3. CALA recommends acquisition of or other control measures for ten additional parcels or parts of parcels for conservation and/or long term municipal purpose use depending on the attributes of the parcel, the future needs of the town and the availability of funding. Some parcels need more study to make a determination of how the land could be best used. Also, some town needs require more study, such as the cemetery department, before a final determination can be made for how the land should be used. The parcels are identified in the report and ranked in priority order.

4. CALA recommends Selectmen establish ongoing communication with large institutional land owners to develop a relationship that would encourage mutually beneficial land use planning in Weston.

5. CALA recommends the Selectmen and all other land use committees work to establish a Land Bank in Weston.

6. CALA recommends the Selectmen develop ADA policies for the town so open space funds can be obtained from the state.
The Committee Charge

The Selectmen appointed the Committee to Advise on Land Acquisitions on December 21, 1999. The charge (written by the Selectmen) to the Committee is as follows:

Background

In 1996 (revised 1997), the Open Space & Recreation Planning Committee submitted a comprehensive Open Space & Recreation Plan Resource Analysis for the Town. In 1999 the Conservation Commission recommended the purchase of certain parcels of land for conservation purposes. In some aspects, the work of both groups overlapped, while in others the work diverged. The Selectmen believe it is desirable to have a single comprehensive strategy and implementation plan related to public land acquisition and use to guide the Town in the priority and scale of resources needed to meet the Town's land acquisition objectives.

Membership

The Committee to Advise on Land Acquisitions (CALA) shall consist of six members, being the Chairs/Presidents of the Board of Selectmen, the Planning Board, the Conservation Commission, the Open Space & Recreation Planning Committee, the Weston Land Trust, and the Weston Forest & Trail Association, or the designee of said Chairs/Presidents. The Chair of the Open Space & Recreation Planning Committee shall chair the CALA.

The members of the Committee are:
- Kathleen B. McCahan, Designated Chair
- Douglas P. Gillespie
- Kathryn J. Detwiler
- John M. Lord, Jr.
- Donald B. Myers
- George P. Bates

Charge

a) review, affirm or modify the recommendations of the Open Space & Recreation Plan.

b) establish a priority list of land acquisition needs for the Town, and match this list with a priority list of potentially available land to purchase.

c) recommend a funding strategy for the acquisition of Town land, including but not limited to Town borrowing, a Land Bank, and private funding.

d) recommend a time frame for the implementation of land acquisitions.

The CALA shall provide a report to the Selectmen no later than February 29, 2000.

Term

The CALA will be dissolved upon acceptance of the report by the Selectmen.
Introduction

The Committee to Advise on Land Acquisition (CALA) had six meetings within a two month period. During this time the committee -

• reviewed all open space parcels in town.
• examined the land use needs of all town departments
• matched community needs to particular parcels.
• prioritized parcels deemed important for acquisition for either conservation or town department purposes
• considered ways to protect large institutional properties
• explored funding strategies

All minutes, background material, articles collected by the CALA are available in a notebook in the office of the Selectmen. There is also a copy of the 1996 Open Space Plan available which is often referenced in this report.

A. Town Needs Analysis

The Committee to Advise on Land Acquisitions (CALA) reviewed the Town of Weston needs listed in the Open Space Plan (1996, 1977). Those needs and additional municipal land use needs were studied and are described below.

In its overall review of municipal needs and land use requirements, the CALA does not recommend new land acquisition for current Town purposes.

1. Two new athletic playing fields for soccer and/or baseball

The Recreation Department and the School Department express the need for two more playing fields for active recreational use.

There has been careful study of this need by the two departments. Both organizations have devised innovative ways to negotiate reciprocal arrangements with private schools and institutions to share fields. Careful maintenance and scheduling have been undertaken for the present fields, but the bottom line is with growing school age population and the popularity of sports, there needs to be an increase in athletic fields.

CALA encourages the Recreation Department and the School Department to continue and expand field sharing arrangements with local educational institutions and to maximize the life of the fields by good maintenance practices including timely irrigation and proper drainage controls.

CALA found that there are possible sites for new fields without special land acquisition by the town. The identified sites are as follows:

Municipal Purpose Land, off Merriam Street, (map 17-96)*, 34.38 acres.

The municipal purpose land off Merriam Street is presently used as agricultural fields maintained by Land’s Sake. A portion of these fields could be converted to playing fields. Due to the size and availability of this parcel, the land could accommodate fields as well as other
municipal purpose needs such as housing. If the parcel is to be multi use, it is important to proceed in a thoughtful way to accommodate the best locations for current and future uses.

*(Note: map 17-96 are reference numbers to the location of this property in the town’s Assessors Maps. The "17" refers to the map in the atlas and the "96" refers to the parcel number on that map. The Maps are located in many town offices: Selectmen, Assessors, Building Department and Planning.*

**MWRA land off Recreation Road adjacent to the Charles River. (map 53), about 3 acres.**

This is the present site of Massachusetts Water Resources Authority (MWRA) construction at Shaft 5 and 5A. When construction is completed in 2002, the MWRA has agreed to provide landscaping at the site in consultation with Weston Working Group Access/Landscape Committee, the Recreation Department and any other interested parties. The site is small and may not accommodate a soccer field but may have room for a playing field, a canoe launch and/or a park.

**Town Transfer Station, off Church Street. (map 18, 19, 23, 24) 17.71 acres.**

The top of the old land fill may be usable in 15 years. Many municipalities in this country safely use discontinued land fills as parks and recreation areas. Inquires should be made of SEA, the company that constructed the transfer station, to see if a playing field is environmentally sound for the site.

At this time CALA recommends no new land acquisition for creation of two new playing fields

2. Land for Future Cemetery Use

Within 25 to 30 years the Linwood Cemetery will be full if existing traditions and policies remain in place. Elsewhere in town new procedures have been adopted for burials. For example, First Parish Church has designed a memorial garden where ashes are deposited directly into the earth and recognition takes place on a commemorative plaque. Saint Peters Church also has a special place within its church yard for burials, but these small community efforts will not solve the Town’s need.

The Open Space Committee and the CALA both recommend further study of town cemetery needs to determine a master plan for cemetery use.

Some of the questions and issues to be addressed are as follows:

- Does the town want to have a cemetery in the future?
- Should the policy of pre-purchased plots continue (vs. at time of need)? There are a number of plots that have been "abandoned". The town has a policy of not retaking until after 60 years, but this has never occurred.
- Would the town consider above-ground burials (e.g. mausoleums)?
- Cremations now account for about 40% of burials; smaller cremation burial areas are actively encouraged. However pre-bought, traditional burial sites often do not take cremations into consideration. Increased cremation sites could expand the use of the cemetery up to 40-50 years.
- Would the town consider use of flat memorial stones to create a more park-like atmosphere?
CALA noted that a master plan study could be done by students at Landscape Design programs such as the Conway School or Radcliffe Seminars. Master plans of this sort are common projects and cost significantly less than if done by contracted professionals.

CALA identified two goals for a master plan study for cemetery use:
- find ways to extend the life of the present cemetery
- identify future land requirements for a new cemetery if needed in Weston

3. Parks

There is no identified need for new parks at this time. If additional parks are acquired, maintenance issues need to be considered. DPW staff are already over committed.

4. Trails

Weston is rightfully proud of its extensive system of trails that connect all parts of the town. The CALA identified new trail linkages and easements that would further enhance the present system.

The CALA believes it appropriate to spend money on easements and trails if necessary. The CALA recommends the Weston Forest and Trail Association continue its excellent work and pursue new trail easements.

5. Housing

CALA notes the expressed need for more housing options in Weston especially for the growing elderly population and "empty nester" families. It is suggested that the Town's Housing Needs Committee or a private developer are best qualified to devise a plan to meet the needs of the Weston community.

The committee identified a few parcels of land that could be considered for privately developed housing. Two privately owned parcels near the center of town include:

Willis property, east side of Concord Road. (map 22-8). 19.04 acres. Chapter 61- forest

This property is located east of Concord Road, adjacent to the railroad tracks to the north and town conservation land on the west. It is very near the town center. The character of the land is wooded and contains wetlands and upland. CALA felt this property has potential value to the town in several ways: housing, cemetery, conservation, trails and linkages to adjacent conservation land. Since it is Chapter 61 land, the town has the right of first refusal if it should ever come up for sale. (see Appendix A for more on Chapter 61)

This Willis parcel east is not to be confused with the Willis parcel west side of Concord Road (Sunday Woods) which is being considered for acquisition with the MWRA mitigation money.

Town House Road (map 27-13) 18.47 acres.

This property is presently for sale. It seemed an intriguing site for privately developed housing because of its size and proximity to town center.
The one town owned parcel that may be appropriate for housing is Municipal purpose land off Merriam Street (map 17-96) 34.38 acres.

This is the one town owned parcel that the committee determined would be appropriate for housing if the present Housing Needs Committee was looking for a site. Presently it is used for agricultural fields. In the past, land from this site has been approved for the expansion of elderly housing at Merriam Village. In 1993 a selectmen-appointed Weston Housing Needs Committee recommended a plan for 15 acres of this site but the housing proposal was not approved.

This parcel was cited in a previous section about playing fields.

At this time CALA recommends no new land acquisition for housing

6. New Facility for the Department of Public Works

The current DPW facility is inadequate and the department plans to design and build an updated complex. The department has a preliminary report from consultants that indicates a new facility can be built on the existing site.

At this time CALA recommends no new land acquisition for a new DPW facility

7. Area for School Bus Facility

During interviews with town departments, it was learned that the School Department site presently used for school buses does not comply with some Massachusetts regulations. The DEP has raised issues about fueling and washing buses at the present site which does not comply with the Wetlands Protection Act. CALA hopes methods can be found to make the present site environmentally safe.

At this time, CALA recommends no new land acquisition for a School Bus Facility

8. School Building Site

Rising school enrollments have required expansion of the high school and middle school. The school department is presently conducting an intense analysis of the sites for Woodland and Country elementary school expansion.

9. General Municipal Purposes Land

Municipal purpose land is a very valuable asset for any town. Many municipalities in the Commonwealth are now going through the difficult process of converting conservation land into school sites, cemeteries or playing fields because they never acquired enough municipal purpose land to meet town department needs.

Municipal purpose land is like having money in the bank. It is a land savings account that is ready and waiting if a future town needs develop. That is why in the next section of this report we will recommend land acquisition for municipal purpose land as well as for conservation.
B. Land for Acquisition

The committee carefully analyzed all public and private parcels, over 10 acres, that have open space potential. Some parcels were examined that may already have a house but also have additional land available for development. In addition the committee examined smaller parcels that were critical for trail easements or were part of a larger conservation area. The initial list contained about 70 properties.

The list of 70 was narrowed down by eliminating properties which we thought could be developed successfully with a limited development plan that would protect important resources through Planning Board and Conservation Commission Regulations. We also identified situations where it might be possible to work with owners to achieve protection through conservation easements or gifts.

We discussed protection strategies for large institutional parcels and this information appears in the next section of the report.

As a result of lengthy deliberations the committee selected 11 parcels (or parts of parcels) the town might consider for acquisition either for conservation preservation, for potential municipal purpose land or a combination of both uses. (Some of these parcels might also lend themselves to limited development "save what needs to be saved", but further analysis is needed.)

We ranked each of the 11 parcels by a weighted vote. Six committee members giving a first choice vote to a property would give that parcel a rating of 66. Committee members did not have to vote for all the parcels. The list of the 11 properties (or parts of properties) that the CALA thinks are important for the Selectmen to consider for acquisition or control at some time are as follows.

1. Case Estate, two parcels on east and west side of Wellesley St. 66 points
2. Nick Danforth lot, east side of Wellesley St. 55 points
3. Nina Danforth 2+ lot, west side of Wellesley St. 53 points
4. Dickson lot, Love Lane 49 points
5. Paine, lot or easement, east side of Highland St. 38 points
6. Bagdady, North Ave. 28 points
7. Nick Danforth, Glen Rd. 26 points
8. Willis, Sunday Woods, west side of Concord Rd. 24 points
9. Carter, Boston Post Rd. 11 points
10. Willis, east side of Concord Rd. 10 points
11. Lawless, lot or easement, off Meadowbrook Rd. 8 points

The parcels are described below in more detail with a write-up to help the reader identify the property and highlight some of the features. The map and parcel number are referenced for the
Town's Assessors Map. Many of the parcels are under Chapter 61. (see Appendix A for more information.)

1. The Case Estate

The Case Estate is made up of two parcels. One parcel on the west side of Wellesley Street (map 32-22) contains 40.92 acres. The other parcel located between Wellesley and Ash Street (map 32 23) contains 22.68. The property is owned by Harvard University, Arnold Arboretum, and is tax exempt. The Case Estates received the unanimous vote of the CALA (66 points).

The committee unanimously recommends that the Selectmen initiate discussions with the Arnold Arboretum and Harvard University with the goal of acquiring or controlling the future of the Case Estate property in its entirety.

The strategic value of this property to the town and its vulnerability to change convince us that the time has come to secure its future.

Strategic Value

The strategic, public values inherent in the Case property are several.

- Location - Centrally located at the cross roads of Weston, the property adjoins three busy arterial roads (Ash, Newton and Wellesley), Alphabet Lane, Woodland School and Regis College. Also in the immediate vicinity are the Field School, the Country School, Linwood Cemetery, the Library, and (soon) the Community Center. What happens to the Case property will have a major impact on the future of this important neighborhood.

- Viewscapes - The spacious views of fields, walks and plantings that comprise the Case Estate define the visual character of this central landscape, and for many residents are the most lovely in town. Development of these vistas would dramatically alter the nature of the landscape and detract from its refreshing, rural aspect.

- Utility - The gently rolling terrain and well drained soils of the Case property make it highly suitable for many uses. A study of the property by Matlock Associates indicated that the property could be subdivided into residential lots under current zoning regulations. The back land on the west side of Wellesley Street might be appropriate for municipal purpose use such as cemetery without significantly changing the visual appearance from the road.

- History - The close relationship between the Town and the Case Estate goes back nearly a century when the Case sisters began to develop the land for agricultural education. In the 1940’s the sisters gave the property (then nearly 200 acres) to the Arnold Arboretum for horticultural use. Shortly, thereafter the town purchased some 43 acres from the Arboretum for school construction, and in 1957 the town acquired 32 acres, again for school construction. It is on these parcels that the Field School, Country and Woodland Schools, swimming pool, scout house, Case House school administration building and the Library now stand and on which the Community Center is now under construction. In 1985, the town acquired the "40 acre field" parcel to prevent its proposed sale for residential development.

This is a remarkable history of the Case land serving as a resource for Weston.
Vulnerability

Throughout its sixty year ownership of the Case Estate, the Arnold Arboretum has been a good neighbor to Weston. For years the property was used for display gardens, as a holding nursery and for educational purposes. In 1990, however, the mission of the Arboretum became more focused on the Jamaica Plain site and active use of the Case Estate was largely discontinued. To simplify maintenance, residences on the property were, with one exception, sold off. The Case Estate is now considered surplus to the Arboretum’s long term plan.

During the changes of the last decade, the Arboretum’s Director, Dr. Robert Cook has kept the Town apprised of his plans for the property and welcomed communication from interested parties. In response to concerns that the land might be sold, Dr. Cook pledged a “Rolling Moratorium” on land (but not house) sales, promising, during his tenure, to give Weston 18 months advance notice should there ever be a decision to dispose of any property. In the last decade, a number of developed uses were proposed for the Case property, but none ever materialized.

Recently there has been some “nibbling around the edges” with adjoining private landowners seeking to acquire pieces of the Case land to enlarge their lots. Currently, plans are underway to sell the remaining house at 131 Wellesley Street and move it to the adjacent field which would become a house lot. In connection with that sale other Approval Not Required lots (ANR) have been designated (though not yet submitted to the Planning Board) for the west side of Wellesley Street.

Considering the Arboretum’s changed mission, the development pressures in Weston and the suitability of the Case land for build out, the committee feels that this property is vulnerable to change and that a development offer to purchase the Case Estate would force the Town into a reactive position. In view of this risk and the numerous public values at stake, we urge the Selectmen to adopt a pro-active approach to secure the future of this vital property.

2. Nick Danforth, one lot on the east side of Wellesley Street (map 56-1-30), 1.41 acres. Chapter 61A - field crop. (55 points)

This lot is located between conservation land at the corner of Glen Road and Wellesley Street and the historic house at 500 Wellesley Street. It provides a unique viewscape with its old maple trees, field and stone wall.

This parcel has been offered to the town for $650,000 and is presently being considered for acquisition by the Conservation Commission as part of the purchase with the MWRA mitigation money and additional funds.


 Trails on this property provide access to existing conservation land. The fields and stone walls are part of a viewscape on the south side of town reflecting the pastoral nature of farm land.

These parcels have been offered to the town for $1,212,000 and are presently being considered for acquisition by the Conservation Commission as part of the purchase package with the MWRA mitigation money and additional funds.
Both Danforth properties were identified in the Open Space report as high priority parcels. A sketch of the land and description of significant features appears on page 76.

4. Dickson, one lot on Love Lane (map 31), 2.09 acres, Chapter 61A - field crop, (49 points)

This lot adjoins the 11.5 acres of open fields to be obtained by the Town for conservation purposes with the MWRA mitigation money. Since this single lot is still under Chapter 61A, the town has the right of first refusal if it should ever come up for sale.

The Dickson land was identified as a high priority parcel in the Open Space report. A sketch of the land and description of significant features appear on page 77.

5. Paine, one lot or easement on Highland Street east side (map 31-6) acres to be determined, part of 17.5 parcel owned by the Charles J. Paine Estate, (38 points)

This lot is part of the Paine land on the east side of Highland Street extending approximately from Chestnut Street to Love Lane.

This wooded parcel with a street front stone wall contributes importantly to the still rural viewscape along Highland Street. While this particular Paine land is not currently being proposed for house lots, it likely will be in the foreseeable future. Meanwhile, residential development is underway on the parcel immediately to the south and will soon commence on the opposite side of Highland Street.

The committee believes it is desirable to acquire a portion of this Paine land, or possibly a protective easement on part of it, to prevent continuous development of houses on the east side of Highland. An undeveloped conservation lot would both preserve a portion of the rural viewscape and facilitate access to the Highland Street Town Forest which joins this parcel immediately to the east.

The Paine land on Highland Street was identified as a high priority in the Open Space report. A sketch of the land and significant features are noted on page 78.

6. Bagdady property, 190 North Avenue (map 13-28-1), 11.6 acres, Chapter 61 - nature area, (28 points)

This is one of the few large privately owned open spaces remaining on Route 117 in the north part of town. The house on this property is the historic Hasting Homestead and the rest of the property is designated as a nature area under the state codes 803.

The undeveloped nature of the site provides a valuable and unique viewscape along busy Route 117. A significant note is that Mass Highway Department is very respectful of conservation land along state roads. Historically MHD makes all effort to bypass protected land with road expansion or improvements.

The property is in Residence District C and D. Since it is Chapter 61A land, the town has the right of first refusal if it should ever come up for sale.
7. Nick Danforth property, off Glen Road (map 56-1.71), 10.92 acres. Chapter 61A - field crop. (26 points)

This land is a series of undeveloped fields and wetlands along the aqueduct with access off Glen Road. The wetlands provide valuable drainage capacity. The fields are important viewscapes contributing to the rural character of Wellesley Street.

This property has potential value to the town in several ways: conservation land, trails that would access the aqueduct and MWRA land, land close to the schools that might be appropriate for playing fields. This property might lend itself to limited development if necessary. Since it is Chapter 61A land, the town has the right of first refusal if it should ever come up for sale.

See Open Space plan page 76 for more information and a sketch.

8. Willis property, west side of Concord Road, "Sunday Woods" (map 21-8), 23.25 acres. Chapter 61 - forest. (24 points)

This land contains wetlands, upland and part of the Cherry Brook. There is a deeded fire road that provides access to conservation land. When linked to the Jericho Town Forest this undeveloped wooded parcel provides a unfragmented forest habitat which is particularly valuable for certain wildlife populations.

This parcel has been offered to the town for $3,000,000 and is presently being considered for acquisition by the Conservation Commission as part of the purchase with the MWRA mitigation money and additional funds. The property might lend itself to limited development if necessary and studies are currently being done by Matlock Associates to see what this would look like. When this work is complete, Avery Associates, a land appraisal firm will provide financial information to the town. The Willis property is Chapter 61 land so the town has the right of first refusal.

9. Carter land off Boston Post Road (map 25.26), over 58 acres. Chapter 61, 61A, 61B - forest and fields. (11 points)

This is a large private holding made up of several parcels along Route 20. The property is known as Woodleigh farm and the complex contains houses of historic value. CALA felt this property had potential value to the town in several ways including conservation, trail easements but further study should be done. Parts of these many parcels may lend themselves to limited development if necessary. Since the land is under Chapter 61, 61A, 61B, the town has the right of first refusal if it should ever come up for sale.

10. Willis property, east side of Concord Road, (map 22-8), 19.04 acres. Chapter 61 - forest. (10 points)

This property is located east of Concord Road, adjacent to the railroad tracks to the north and town conservation land on the west. It is very near the town center. The character of the land is wooded and contains wetlands and upland. CALA felt this property had potential value to the town for conservation land and trails and/or municipal purpose land for housing or cemetery use. Further study needs to be undertaken. This property may lend itself to limited development if necessary. Since it is Chapter 61 land, the town has the right of first refusal if it should ever come up for sale.
11. Lawless parcel or easement off Meadowbrook Road but land locked (map 40) 2+ acres, privately owned (8 points)

The value of this property to the town is as an access point to MWRA land on the Weston aqueduct and conservation land on Doublet Hill. Since it is a small landlocked parcel, it may be an affordable acquisition if it becomes available.

Development Pressures

It is important to realize that the properties listed above as important for preservation are subject to enormous development pressure. If the town does not acquire them and secure their future, a developer will buy them and turn them into house (mansion) lots.

The recent rise in property values has made the sale of private property almost irresistible. Empty lots are going for $600,000 - $800,000 and above. Over seven per cent of the town has been developed in this way over the last 20 years. In the metro west area over the six year period of 1985-91, the Metropolitan Area Planning Council estimates a 10% growth in residential development and a 8% loss in open space.

Weston residents do not need statistics to know what is happening. They look out their car (SUV) windows and see that what was wooded Paine land on Wellesley Street across from the High School now has 13 new houses; what was wooded Paine land off Love Lane now has 12 new houses, what was wooded Paine land on South Avenue now has 18 new houses, and the open area in front of the Weston Dog Ranch on North Avenue now has 10 houses. The views on all these roads have changed dramatically in the past ten years. In the next ten years Highland Street will look completely different.

In 1997 the voters approved acquisition of the Coburn land on Church Street. This was a small recent effort made to stem the tide of build out on scenic roads.

In this report we are asking Weston residents to take some bigger steps to save the rural character of the town. We are asking for to protection of the beauty of the Case Estate neighborhood. We are asking for preservation of the pastoral ambience of Wellesley Street as you pass Gateways Farm. We are asking for consideration of special stretches of open space on Highland Street, North Avenue and Glen Road.

Wesley Ward, Director of the Land Conservation Center for the Trustees of Reservations puts it this way: "the roadside landscape is "our windows on the natural world...It defines the communities in which we live and work or through which we travel...This is what breaks the monotony of our single-family development...[if we don't save these roadside landscapes], we risk losing the settings, which enhance the quality of our daily lives."
C. Land Protection

1. Protection of Critical Land Owned by Other Institutions

There are significant places in Weston that we enjoy as open space, but the land is owned by large public or private organizations and is not protected as conservation land under Article 97. These properties fall into three categories: public lands owned by Massachusetts Water Resources Authority (MWRA); private lands owned by tax exempt religious and educational institutions, private land owned by clubs, under Chapter 61B, recreational tax status.

Should there be a change in the status of these properties, CALA recommends that immediate steps be taken to protect the important features of these properties.

CALA urges the town to establish ongoing close relationships with these large institutional land holders to insure collaborative planning.

MWRA, (land and water acres)

<table>
<thead>
<tr>
<th>Property</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weston Reservoir</td>
<td>215</td>
</tr>
<tr>
<td>Weston Aqueduct</td>
<td>75</td>
</tr>
<tr>
<td>Norumbega Reservoir and Schenck's Pond</td>
<td>160</td>
</tr>
<tr>
<td>Hultman Aqueduct</td>
<td>205</td>
</tr>
<tr>
<td>Shaft 5, 5A area</td>
<td>3</td>
</tr>
</tbody>
</table>

It is important to note that any land purchased by the Commonwealth of Massachusetts in Weston for water supply purpose prior to 1985 and currently under the care, control and management of the MWRA can not be sold without specific legislation. Change in MWRA land use is highly unlikely and the process involved is a very lengthy and complicated process with ample opportunity for community input.

Moreover the Town has a contractual agreement with the MWRA, Memorandum of Agreement (MOA), signed 1997, amended 1999, which insures that the water quantity and water quality will be maintained in the Ash Street Reservoir and the Norumbega Reservoir when the reservoirs go "off line" as a primary source of drinking water for the metropolitan area.

The MOA also assures that there will be public access to the two reservoirs and the Weston aqueduct in the Loring Road area once construction is complete. A local committee has been established to work with the MWRA to assure an access plan approved by the Town of Weston. This committee is called the Access Committee of the Weston Working Group. It is made up of representatives of the Weston Conservation Commission, Weston Forest and Trail, Open Space Committee and abutters from each part of town impacted by the MWRA projects. To date the Access Committee has considered issues at the Weston Reservoir and the Loring Road/Weston aqueduct/tank area.

The MWRA has agreed to provide landscaping in the Shaft 5, 5A area once construction is completed in 2002. This three acre parcel adjacent to the Charles River could become a canoe launch, park or playing field. Final deliberations on its use will take place through discussions with the MWRA, Weston Working Group, Access Committee; Recreation Department and any other interested parties.

There will be no immediate access to the Hultman Aqueduct since it is in such bad shape that it will need to be rebuilt after the Metro West Tunnel is completed.
Large Tax Exempt Organizations

Regis College 162.32 acres
Case Estates 21.68 and 40.92 acres
acquisition recommended

Campion Center/Weston College Area 22.38 acres
Weston College
Trustees of Boston College 19.18
Society of Jesus 37.44
Campion Center 1.48

Pope John XXIII Seminary on South Ave. 24 acres
Roman Catholic Archbishop of Boston

Meadowbrook School 12.5, and 2.4 acres
Cambridge School 44.98
Rivers School 23.23, 2.36, 7.35, 9.5, 1.04 acres
Gifford School 25 acres

CALA recommends that the Selectmen establish on-going communication with large institutional land owners to develop a relationship that would encourage mutually beneficial planning if there was proposed land use change.

One way this could be done is for the Selectmen to delegate the day to day responsibility of this task to the Land Trust. The Trust in cooperation with the Selectmen could send out yearly letters on behalf of the Selectmen. A personal liaison for each large institution would establish contact with the institutional leadership. This is what has happened with the Case Estate over the past ten years. Experience has shown that the Selectmen’s terms of office change whereas the Land Trust Case Estate contact remained relatively stable. Of course on any decisions, the Selectmen were always involved and in charge.

Chapter 61 B - Recreational Properties

Weston Golf Club 132 acres
Pine Brook Golf Club 135 acres
Valley Pond Corp 18.38 acres
Wightman Tennis Center 15.15

The town holds the right-of-refusal on any sale of Chapter 61 lands. (see appendix A)

2. Protection of Municipal Purpose Land Owned by the Town of Weston

The CALA looked at Weston’s municipal purpose land and the conservation/recreation land acquired in the College Land purchase in 1977. In general the committee felt strongly that the viewscapes of these properties should be maintained as much as possible. For example, the onion field on the east side of Merriam Street could be converted to a playing field, but the committee rejected this idea because it felt the value of the undeveloped street scape was of primary importance and a ball field could go some place else. The same principal applied to the maintenance
of the Community Gardens on the east side of the Street - it was important to preserve the existing street scape.

Most important CALA recommends that the "40 Acre Field" on Wellesley/Newton Streets be maintained as open space for the indefinite future. Should there ever be a need to utilize any of this land for a municipal use, such use should be located on the rear portion of the parcel, keeping the street front viewscape unchanged.

3. Ongoing Land Protection Policies

- encourage gifts of land to the town and creation of conservation and preservation easements

- continue work of such town groups as the Weston Conservation Commission and Weston Planning Board where review through the regulatory process allows for the opportunity for good land use decisions and open space protection

- continue outstanding work of the Weston Forest and Trail Association in obtaining conservation land, easements and trail linkages

- continue work with land owners to encourage good land use planning for the preservation of open space. This is a particular strength of the Weston Land Trust's outreach program
D. Funding Strategies

1. Bond Financing

2. Gifts for Land Preservation

At any time any citizen can contribute land or funds to the Town of Weston
Weston Forest and Trail has a long history of receiving gifts of land or conservation/trail easements. Generous citizens have also made contributions to the organization for land acquisition.

3. Land Bank

CALA strongly encourages the Town to establish a Land Bank for Weston as soon as the enabling legislation, known as the Community Preservation Act (CPA), is signed into law. If the CPA is delayed, it is understood that Weston could pursue a home rule petition.

While the Land Bank mechanism will not fully fund all the Town’s land acquisitions, it will provide a valuable tool to finance purchases in the areas of open space preservation, affordable housing and historic preservation. If the CPA allows towns to assess a three percent surcharge on real estate taxes, Weston can expect to generate slightly less than $1 million annually. Coupled with some sort of matching state funding, and through a formula that mandates that ten percent of Land Bank receipts be directed to each category (i.e. open space, affordable housing, historic preservation) Weston still should have at least $1 million annually allocated to open space protection. It is further anticipated that future Land Bank receipts could be leveraged to provide a greater, more immediate source of funds.

4. Open Space - Grant Program

The 1996 information regarding FY97 Grant Round noted

There are several prerequisites that determine if your community is eligible to participate in the grant programs. Your community must have an open space and recreation plan approved by the Division of Conservation Services within the last five years on file with the DCS office. The plan must include a survey of the municipal conservation and recreation land for accessibility for the disabled (Section 504 Self-Evaluation). My office also consults with the Massachusetts Commission Against Discrimination and the Executive Office of Communities and Development regarding your community’s compliance with the affirmative action and housing goals of the state.

The town will receive information regarding FY2000 Grant Round That information should arrive soon and grants are due in June.

CALA recommends that the town develop an ADA compatible policy such that Weston can qualify for state grants. The Selectmen are urged to pursue this issue.

CALA discussed the possibility of handicapped trails to conservation land. A trail for Case "Forty Acre Field" was suggested since it would be easy to construct and was near facilities for
the elderly such as Brook School and the new Community Center. A trail for some of the open reservoir land may be possible and this will be discussed with the MWRA Access Committee.

An ADA inventory for all recreational facilities has already been completed.

Maximum grants last year were $250,000. The Committee to Advise on Land Acquisition may want to make some suggestions if the Town decides to apply for a grant this June.

6. Private Fund Raising

The Selectmen made a special request that CALA comment on fund raising. Betty Fuchs, who is presently involved in the fund raising campaign for the Community Center and who has professional experience in the field, was nice enough to do a piece that appears in Appendix B.
Conclusions

From Section A - Town needs analysis

1. The committee concluded no new land acquisition was necessary for current needs of town departments.

2. It is documented that the School Department and the Recreation Department need two more playing fields. CALA encourages the departments to continue and expand field sharing arrangements with local education institutions and maximize the life of fields by good maintenance practices including timely irrigation and proper drainage controls. There are several sites suggested for two new fields.

3. A study of town cemetery needs should be undertaken to determine a master plan for cemetery use.
   Two goals for a master plan include:
   - find ways to extend the life of the present cemetery
   - identify future land requirements for a need cemetery if needed in Weston

4. Weston Forest and Trail Association should continue its excellent work and pursue new trail easements. CALA believes it appropriate to spend money on easements and trails if necessary.

5. Other town department needs described in the report include: Parks, Housing, DPW new facility, School Bus facility, Elementary School Building Site. The committee concludes that from the information available at this time, no new land needs to be purchased for these municipal needs.

6. It is important to have a sufficient supply of general municipal purpose land for the future. In Section B, CALA will recommend acquisition of municipal purpose land as prudent future planning.

From Section B - Land Acquisition

1. CALA unanimously agreed that the entire Case Estate, Arnold Arboretum, Harvard University was the most important property to acquire or control as soon as possible.

2. CALA agreed on the importance of acquisition or control of ten additional parcels or parts of parcels which are identified in the report and ranked in priority order. They are the Nick and Nina Danforth lots on Wellesley Street, the Dickson lot on Love Lane, a Paine lot on Highland Street, the Bagdady property on North Avenue, the Nick Danforth property off Glen Road, the Willis property west side of Concord Road, the Carter property on Boston Post Road, the Willis property on the east side of Concord Road and the Lawless lot off Meadowbrook Road.

   Acquisition would be for conservation and/or long term municipal purpose use depending on the attributes of the parcel and the future needs of the town and the availability of funding. Some parcels need more study to make a determination of how the land could be best used. Also, some town needs require more study, such as the cemetery department, before a final determination can be made for how the land should be used.

3. CALA recognizes the extraordinary present pressure on development of open space in Weston and urges the town to take proactive steps to prevent build-out especially along scenic roads.
From Section C - Land Protection

1. There are many large open spaces in Weston that are owned by public and private institutions. Should there be a change in the status of these properties, it is critical to take immediate steps to protect the important features the town has come to appreciate.

2. To anticipate institutional change, it is expedient to have ongoing communication with large institutional land owners to develop a relationship that would encourage mutually beneficial land use planning in Weston. Such tax exempt institutions include religious and educational organizations such as Regis College, Campion Center, Pope John XXIII, as well as the many private schools in town.

3. The committee believes it is critical to maintain the good working relationship with the MWRA which controls a large quantity of critical land in Weston. The Town has a Memorandum of Agreement which among other items
   - assures the future health and aesthetics of the two reservoirs in town once they are no longer used for active water supply
   - provides for the possibility of access to MWRA properties once they are no longer used for protection of the water supply

4. It is important to monitor the large Chapter 61 B recreational properties in town such as the Golf Clubs, Wightman Tennis Center and Valley Pond Corp. These are critical elements of the open space residents enjoy. The town holds rights-of-refusal on these Chapter 61 B lands.

5. All committee members concluded that frontage of the town's own municipal purpose land should be protected where possible.

From Section D - Funding Strategies

1. CALA determined it is important for all land use committees to work with the Selectmen to establish a Land Bank in Weston.

2. The committee determined it was necessary for the Selectmen to develop ADA policies for the town so open space funds can be obtained from the state.

General Conclusions

An ongoing acquisition strategy should be constantly updated with new information and as changes occur in the community (e.g. passage of a Land Bank), new approaches.

Preparation for change is imperative. Within the context of the Chapter 61 process itself, the town must act within 120 days. This is why an agreed upon, well thought out land acquisition policy is important. Other data the town may need includes wetlands delineations, perc tests, land planning analysis to determine lots under Weston zoning and financial appraisals.

The process of joint planning among departments and organizations has been a valuable outcome of the CALA work. Town leaders were able to exchange information and ideas that will not only be important for future decisions but also helpful as they carry out day to day community responsibilities.
This CALA report builds on the work of the Open Space and Recreation Plan. Most of the findings are similar and continue a consistent approach to open space planning. This CALA report gives the town a timely analysis as we move into the year 2000.
Appendix A
Chapter 61 Considerations

Many of the properties in this report are under MGL Chapters 61, 61A and 61B.

Chapter 61, 61A, 61B is a state statute that enables property owners to gain a preferential property tax assessment for land in forest, agricultural or recreational use. The laws help preserve open space by relieving pressure on property owners to develop land to pay property taxes. A condition of the preferential assessment is that the town holds the first right-of-refusal on any sale. The town has to come up with a matching bid within 120 days to exercise its right. The town may assign its right (option) to another non-profit conservation organization. The owner may remove the property from the program by paying rollback or conveyance taxes.

By statute, a landowner desiring to sell or convert from prescribed Chapter uses must notify the following town boards by certified mail: Board of Selectmen, Board of Assessors, Conservation Commission and Planning Board.

The town understands that each of the aforementioned boards will place this matter on its agenda for discussion at a posted public meeting. Any interested party may attend such meetings. The town's 120-day option period to acquire the land begins with the deposit in the mail of the landowner's notice to each board.

Weston has instituted procedures to further community awareness of this process. Upon receipt of such notice by the Board of Selectmen, the Board shall notify by mail all landowners within 300 feet of the parcel, the Weston Forest & Trails Association, Weston Land Trust, Land Sake, Weston Historical Society and Weston Historical Commission, and post such notice at the Weston Town Hall. Further, the Board shall cause to have published a legal notice in local newspaper(s) relative to the matter.

Weston has taken care to work on procedures to inform the general public, but we cannot stress enough the importance of the Selectmen being prepared for any change in property status, since the 120 day period is a fairly short time. This is why an agreed upon, well thought out land acquisition policy is so important. Gathering additional information takes time. For example, though it was not a Chapter 61 situation, in the analysis of the Willis property, the town had information on wetlands and perc tests but wanted an analysis by a land planner and an outside appraisal. This work alone has has taken about 2+ months to complete.
Appendix B
Private Fund Raising

SOME THOUGHTS ON PRIVATE FUNDRAISING FOR MUNICIPAL PROJECTS
Betty Fuchs - Chair, Weston Community Center Building Fund.

Citizen-organized fundraising relies largely on volunteer organizers and solicitors rather than on professional fundraisers. Nevertheless, the same principles apply as in capital campaigns for nonprofits with paid staff.

Because funds for the conservation project will depend on both taxpayer dollars and private contributions, residents of the town must vote their approval. Once that is done the private fundraising committee must be ready to jump into action. This means that the following steps will need to be taken before the Town Meeting:

1. The backers of the project must inform the voters of the town of the project's worth. Brochures, hearings, presentations can lay out the long term worth of the project. Voters will want to know how the purchase of conservation lands will affect them and their property, now and in the future. Some will consider the environmental impact as a priority.

2. Next, there must be assurance the dollars needed from the private sector have a reasonable chance of being raised. Non-profit organizations usually hire a consultant to perform a "feasibility study" to assess the likelihood of reaching a specific goal. In this case, the volunteer leadership should be able to get a pretty good idea of the interest and commitment of Weston residents by following some important guide lines:
   - The dollar goal of the campaign must be looked at in the most realistic way. That is, how many gifts at what dollar level will be needed to reach the goal?
   - At the top dollar levels, ($25,000 - $100,000) the campaign must identify two to three possible donors for each gift that is needed at those levels. The "possible donors" must be people who likely have a strong interest in the project and have the means to make a gift at the level designated.
   - If the figures don't look good - stop and think about other options - even if the whole project must be put on hold or cancelled.

3. In the two recent Weston campaigns - Library and Community Center - substantial lead gifts were pledged before the Town Meeting. Having a significant percentage of the goal provided the confidence that additional dollars needed could reasonable be expected. In both these recent campaigns, the lead gifts were especially important to the Town Meeting approval of the projects. Having lead gifts will also be important to the conservation project. Further, the committee must also have confidence that there are many more prospective donors among the town residents who will make it possible to reach the goal and have most of those prospects already identified.

4. Next the committee must have a strategic plan for the fundraising campaign that includes a timeline, methods of solicitations, recruitment of volunteers, and materials. Momentum will be lost if the plan is not in hand and ready to go at the time of the Town Meeting.

Partnerships between private fundraising and town allocations appear to be a trend of the future. In my opinion, it will work well in some communities and not at all in others. Successful partnerships will work best if the town has a significant number of affluent residents or successful corporations and the project has the promise of producing an important improvement for a broad sector of the community.