

Urban Land Protection Case Study

WALTHAM, MASSACHUSETTS

Prepared by Marc Rudnick, Director, Waltham Land Trust, March 2009

City Profile

Waltham is a 13.6-square mile city built along a 3.25-mile stretch of the Charles River. In the 19th century Waltham became the birthplace of the American Industrial Revolution as Francis Cabot Lowell established the first comprehensive textile operation in the new world. Mr. Lowell's mills outgrew the Charles River so he went on to create the tremendous mill & canal complex at Lowell, Mass. Well into the twentieth century, the majority of Waltham's land was farmed, while the downtown remained an industrial center, the home of Waltham Watches, Metz Cars, and later Raytheon and Polaroid.

Today, two-thirds of the population lives in the 3.5 square miles of the dense urban mill town that grew up along the river. Along the western border of the city, 3 square miles of former farmland is covered by office and commercial developments of Waltham's 4-mile long section of the I-95/128 corridor. The remaining third of the nearly 60,000 residents live on about 7 square miles of former farmland, now largely single-family suburban housing interspersed with what remains of the city's open space.

Given its urban setting and history, Waltham has a considerable amount of green space. The Waltham Land Trust (WLT) has inventoried 61 open space land resources over 4 acres in size. These include large wooded parcels, clusters of undeveloped small parcels, often in wetland, and the open space portions of larger institutional parcels. This open space inventory of 1,641 acres comprises 19% of the city's total area. Waltham's water bodies, Cambridge Reservoir, Stony Brook Reservoir, Charles River and Hardy Pond, comprise another 6 percent of the total area.

Unfortunately there is little permanent protection for much of the city's open space. About 800 acres enjoy some form of protection as city or state parkland or conservation land; the most significant of these are DCR's Beaver Brook North Reservation, 155 acres, the city's Prospect Hill Park, 252 acres, and the city's Storer Conservation Land, 108 acres. Conservation Restrictions are pending on some small



Waltham Land Trust sponsored hikes and walks help acquaint residents with local open space resources.

development-related open space set-asides. The remaining half of the open space inventory is at-risk and some is at extreme risk of development.

Urban Open Space Issues

Foremost among threats to land protection in Waltham is development pressure. Two hundred years of ever-intensifying build-out has created a scarcity of development opportunities that causes every bit of Waltham's open space to be targeted by development interests, even that which most people believe is protected. Land was excised from Prospect Hill Park to enlarge the Polaroid campus in the 1960s. A similar effort to take parkland for office development was defeated by ballot in the 1980s. Federal land was given to local private schools to enhance their campuses, and a local university converted the last operating family farm in Waltham into sporting fields and dormitories. After the easily-reached land was developed, projects began to clear the more remote hills and forests, with Stearns Hill, Pigeon Hill, Bishops Forest, and Bear Hill lost in the past 30 to 35 years. In the nine years of the WLT's existence, 25 acres of our inventoried open space has been lost to developers.

Urban Land Protection Story – WALTHAM, MASSACHUSETTS

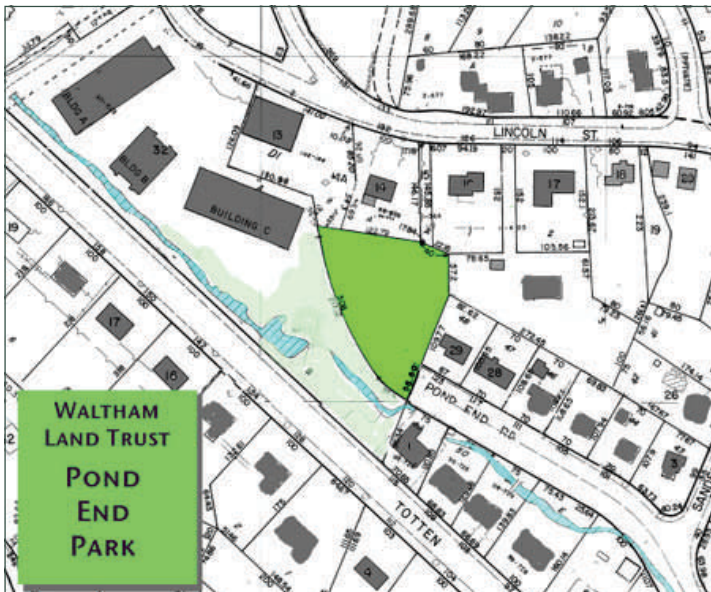
A related and significant problem for Waltham's land protection advocates is the high cost of land in the city. Long characterized as costing a million dollars an acre, protecting Waltham open space through purchase is out of reach for the WLT and other advocacy groups in the city, like the Hardy Pond Association and the Prospect Hill Park Advocacy Group. High cost drives development pressure and vice versa in a land-depleting spiral.

A particular blessing and curse for Waltham is the preponderance of state-owned property, most notably along Trapelo Road. Its proximity to Boston and pastoral surroundings made the Waltham of the 1880s an ideal place to site the sprawling mental health hospitals and rehabilitation facilities of the day. As these services become privatized and more community-based, the state has begun shedding some of these properties, creating local upheaval as competing interests vie for control of these surplus properties. The Metropolitan State Hospital was "disposed of" by the Commonwealth in the 1990s through a lengthy process of community hearings and a task force heavy with local representation. The resulting legislation created a mixed use future for the campus that included preserving at least 250 acres of open space – 155 of them in Waltham. At the other end of the spectrum, the Middlesex County Hospital was improperly privatized in the 1990s and the portions retained by the state began to be auctioned off to the highest bidders, who were, of course, developers. The future of the Fernald

State School, a 180-acre campus with significant green space, is in play as of this writing.

Like most cities, Waltham experiences change at a far more rapid rate than rural areas of the state. A complex transportation network, highly transient population, synergies with neighboring communities, and precedent-setting project sizes and zoning densities all speed up the pace of land development and modification of land use regulations. WLT has found that the Commonwealth's Smart Growth agenda tends to favor the preservation of larger tracts in more suburban and rural areas, rather than protect open space in denser communities. These factors and others that make rapid change commonplace in urban areas undermine the community's ability to advocate for long term preservation of land and sustainable land use policy.

The increased likelihood of land and water contamination in urban areas also has significant impact on land protection policy and projects. Even small residential properties carry greater risks here, and the Waltham Land Trust must examine prospective conservation land carefully to assess contamination and related liability and clean up costs. Concerns about pollutants encourage sales to parties that can best afford to engage in remediation – large corporations and developers. Some open space resources remain off-limits to recreational users due to such contamination.



Urban Land Protection Story – WALTHAM, MASSACHUSETTS



Volunteers revive overgrown trails on the city's recently-acquired Shady's Pond Conservation Area.

Land Trust Strategies

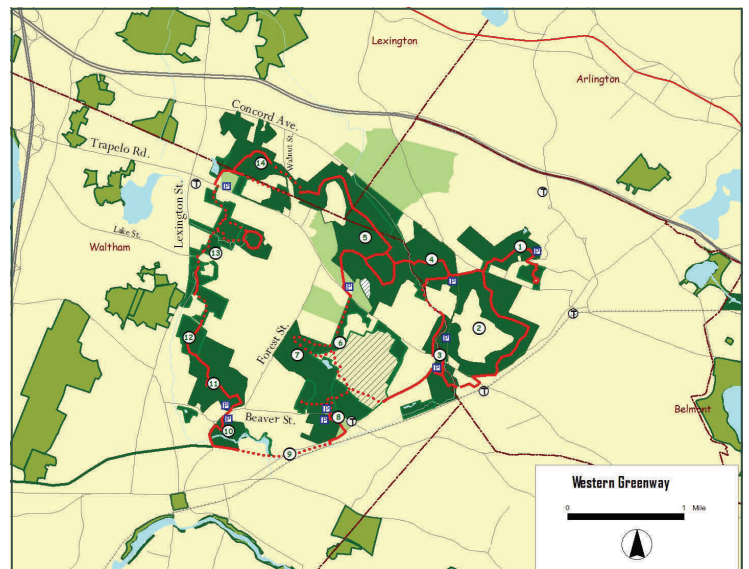
The aforementioned concerns have had significant effect on the major campaigns of the Waltham Land Trust to protect the city's open space. Since its inception, the WLT has focused on creating a conservation ethic in City Hall and has organized to influence the city to acquire the important open space parcels and protect them from future development. The WLT lobbied successfully for the creation of a special committee to examine open space acquisitions by the city. This was in direct contrast to the city's long history of selling off its land and refusing conservation gifts offered by local benefactors. Early on, the WLT organized a day-long seminar for city officials focusing on the need for municipal participation in protecting the land and the tools available to the city to engage in that protection.

Another important tactic for the WLT was the identification of a major preservation project that would affect the entire city and raise the residents' awareness of the threatened green resources in Waltham. Land trust founders had been talking about a greenway connecting local open space for some years before the establishment of the organization. Joining with conservation advocates in neighboring Belmont and Lexington, WLT created a vision of the Western Greenway (at right), a thousand acres of linked open space supporting a nine-mile loop hiking trail and a dozen more miles of hiking trails through the three communities. The WLT hosts a "Friends" group to promote regional interest in this resource and has worked to make the Greenway a part of the city's open space plan and to get the attention and support of the state's greenways program.

In order to compete more successfully with developers and to augment the limited resources of the city and the land trust, WLT joined with local affordable housing advocates in creating a campaign to pass the Community Preservation Act in Waltham. Major effort went into two ballot initiatives and the associated public presentations and media campaigns needed to convince tax payers to raise their property taxes in order to create a dedicated funding stream for open space, affordable housing and historic preservation projects.

While it was clear that the WLT could not afford to buy the city's large open space properties, there were acquisition opportunities attached to small but important green spaces scattered throughout the city's neighborhoods. The WLT recently committed to seeking out these opportunities and positioned the organization to buy, accept gifts of, and otherwise invest in "pocket parks" and other small parcels worth protecting. It is hoped that such affordable acquisitions would help popularize the work of the WLT and create greater legitimacy and standing for the organization.

A final key strategy for urban preservation has been to promote recreational use of local green space. Highly mobile residents are accustomed to traveling to regional parks and preservations to enjoy nature and passive recreation. The WLT has campaigned to increase awareness of the existing local resources and has begun trail building and maintenance activities on the city's conservation lands and parks as a means of encouraging citizen and decision-maker support for continued acquisition and protection of open space.



Western Greenway: Three communities collaborated on creating the Western Greenway, 1000 acres of linked open space.

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Outcomes

In direct response to the Waltham Land Trust's campaigns, the City of Waltham has purchased from private owners the 6-acre Jericho Hill summit parcel, the 26-acre Chesterbrook Woods (abutting the city's 108 acre Storer Conservation Land), the 34-acre Shady's Pond Conservation Area, and the 16-acre Smith Street Wetlands. Following a protracted fight over development, the city acquired the 26-acre western flank of Jericho Hill, known as Sanderson Heights, in an eminent domain taking. The city also asserted a right of first refusal over the 40-acre parcel comprising the remainder of Jericho Hill.

Two surplus state properties were also acquired by the city as conservation land – the strategically located 6-acre Lot One of the Middlesex County Hospital and Mackerel Hill, the 7-acre former Gaebler State School campus. The WLT was instrumental in the successful campaign to sunset Outside Section 548, which had allowed the Commonwealth to auction off state properties without offering them first to the host municipality.

Waltham Land Trust and the Friends of the Western Greenway have succeeded in putting the greenway on the map. The Western Greenway is included in the city's open space plan, and advocates are busy building trails and bridges, blazing existing routes, creating maps, and acquiring trail easements from property owners. A part of the greenway uses the abandoned Wayside rail as a hiking route, and advocates worked successfully with the city and DCR to invest in creating a rail trail along this route in downtown Waltham. The Friends group has worked closely with the DCR in the expansion of the Beaver Brook Reservation and the preservation of Lot One in neighboring Lexington.

After a crushing defeat in 2001, the Waltham Land Trust mobilized voters to adopt the Community Preservation Act



Great Pond Conservation Area

in 2005. This has created a \$4 Million a year fund for CPA projects. The Waltham Land Trust has applied for CPA funds to acquire numerous private parcels in the envisioned Great Pond Conservation Area (above), a 22-acre green space abutting Waltham's 45-acre Hardy Pond. Among the projects already approved by the CPA Committee are the acquisition of Lot One-Waltham and a fund to buy parts of the Fernald State School when they are surplus by the Commonwealth.

The WLT acquired the quarter-acre Smith Point parcel, now a conservation area on the shore of Hardy Pond and is negotiating to receive a gift of land in the form of a 2/3 acre pocket park on Pond End Road in the Piety Corner neighborhood. (both pictured on page 2)

The WLT has increased local awareness of the city's open space many-fold, with regular hikes, community clean-ups, and nature programs at many of Waltham's green places, and with trail-building projects linking the public school campuses with city conservation land.

The Waltham Land Trust is a member of the **Urban Land Protection Council (ULPC)**, which also includes the Lowell Parks & Conservation Trust, The Greater Worcester Land Trust, and Groundwork Lawrence. **The Jessie B. Cox Charitable Lead Trust** has funded the ULPC to develop and enhance the collaborative efforts of the urban land protection community.



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