Stronger Together

Weston Forest & Trail Association (WF&TA), is now joined with the Weston Land Trust and we are proud to present our Spring Newsletter, with updates on issues related to Weston’s forests, trails and treasured open spaces. Our organization was formed in 1955 by a group of forward-looking citizens led by Dr. William Elliston, who were concerned about maintaining the rural character of our Town in the face of tremendous suburban development pressures following WWII. We were one of the pioneer organizations in Massachusetts at the time dedicated to the preservation and conservation of open land for the enjoyment of present and future generations. In December 2011 we merged with the Weston Land Trust to strengthen our shared mission of protecting and promoting our town’s treasured open space resources. Weston is fortunate that today, nearly a quarter of the Town is land is forest or open space, in which WF&TA owns nearly 200 acres of conservation land and trail easements and maintains nearly 100 miles of trails. Together with Weston’s Conservation Commission, we manage and monitor more than 2000 acres of conservation land owned by the Town. As we look to the future, WF&TA will continue to promote the enjoyment of our town’s trails and scenic places, as well as monitor the remaining few hundred acres of privately owned open space in Weston.

Please join us in this endeavor!

We would like to express our thanks and appreciation to the many volunteers and professionals who work so hard to preserve the rural character of this special place in which we live. We are so grateful to the generations of Weston residents who have cared deeply and given generously of their time and resources.

In closing, we invite you to our Annual Meeting scheduled for May 9 at The Weston Scout House, from 7:30 p.m. to 9:00 p.m.. Our speaker will be Jocelyn Forbush from the Trustees of Reservations. Refreshments will be served and a brief Annual Meeting will follow.

Meg Kelly, President

Board of Trustees

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<td>Paul Arkema</td>
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Annual Meeting Speaker

Jocelyn Forbush

Jocelyn Forbush is The Trustees of Reservations’ Vice President for Program Leadership. In that capacity she oversees the organization’s mission-based programs: land conservation, cultural resources, ecology, agriculture, stewardship and strategic partnerships. She has worked with The Trustees for 13 years serving in a variety of capacities, including West Regional Director and the Director of the Highland Communities Initiative. Prior to working with The Trustees, Jocelyn worked with the Massachusetts Riverways Program and the Quebec-Labrador Foundation. She has a background in forest science, as well as music and is graduate of Yale School of Forestry and Environmental Studies.

May 2013 Trail Walk

The trail walk on Sunday, May 5 will be led by Paul Arkema and will cover the lovely Sears Estate area. Beginning at 2:00 p.m, participants will meet at the old abandoned railroad station off of Church Street. Refreshments will be available after the walk.
Kay McCahan, friend and mentor to many and former President of the Weston Land Trust (twice), passed away on March 7, 2013 after her decades long battle with breast cancer.

I came to know Kay through our shared passion for preserving critical tracts of open space for this and future generations, but that was just the tip of Kay’s iceberg. In addition to chairing both the Open Space and Recreational Planning Committee (late 1990’s) and the Case Estates Review Committee (2004-2006), Kay devoted countless hours to Weston’s public schools, the League of Women Voters, the Weston Garden Club, the Mutt Mitt program (which she founded) at the Weston Reservoir, and the New England Wildflower Society … and all of this came second to raising and spending time with her treasured family.

Kay could always see the big picture and never lost sight of what really mattered in all that she did, but she was infinitely practical and hands-on as well. One of my favorite Kay stories took place while we were taking a tour of the Case property after early testing indicated the first set of “hot spots” where the level of contamination was sufficient to warrant clean up by Harvard regardless of the fate of the estate. As we walked away from the buildings toward the pine woods, Kay pointed to a stately old birch at the edge of the forest and said, “That is my favorite tree.” The birch, surrounded by flagged stakes, sat inside one of the areas deemed contaminated that was slated at the time to be cleared of all vegetation. I asked if there was a way to save the stunning tree, but Kay dismissed my concern. No, she said, the tree would need to go, but it would be alright because other trees would grow and the Case property would be beautiful once again -- different, but meaningful and useful in a new way for generations to come. That pragmatism and ability to see a larger context was so typical of Kay.

The Case Estates situation remains unresolved. But this 62.5 acre property that sits at the geographical heart of our community reminds me daily of Kay and all of the time and effort she poured into understanding the history and complexities of this unique and special place. When you look at the Case property on a map, it begins with “the nose” -- that peninsula behind the old low stone walls where Wellesley and Newton Streets intersect, across from the entrance to Land’s Sake (where the witch hazel blooms in late winter). As a tribute to Kay’s love of Weston and all she did for our remarkable community, I ask you all to join me in making this “Kay’s Nose.” Kay’s civic contributions were prolific; it just seems right that her name should be attached to a location as unique and special as she was.
Land’s Sake
By Ed Barker, Director

Land’s Sake creates impact by giving people – kids and adults alike – powerful experiences on the farm. When a day-long field trip to Land’s Sake leads to changes in youth community center programs, we impact the lives of both the children who visit Land’s Sake and all the others who attend their programs.

Land’s Sake helps young people make important connections – between the work they do to grow food and the positive impact it can have. By participating in the process of growing food and turning it into healthy meals for hungry people, teens learn the important humanity of service, and the powerful outcomes of hard work.

This coming season will be a significant and important one for Land’s Sake. With a new spirit of innovation and a burst of creative energy, we are offering new programs and products to help connect Weston residents and others to the farm, the forests, and the community of Weston. We hope you will become a Land’s Sake member to support the many ways we enrich this community.

**New Developments for 2013:**

Our education programs feature new day programs during school vacation holidays and programs for kindergarten and pre-school children (and their parents) at the farm. These offerings are in addition to our Farm & Forest Explorers program for elementary students and the longstanding and recently re-designed GreenPower program for teens. All Land’s Sake education programs are designed to provide fun learning experiences that challenge kids to understand the world around them differently.

At the farm this summer, we’re very excited to offer two new produce shares in our CSA program, designed to meet the needs of busy families and empty nesters. For families who leave town for most of the summer we have introduced our “Back to School” Share program, which begins in September and runs through the late season distributions in November & December. It’s a perfect way to get a regular supply of fresh veggies after returning home for school in the fall. Our “Half Share” produce share is, as it sounds, a smaller version of our “Full Share” produce share program, offering 20 weeks of healthful, fresh veggies from June until October. We’re also offering our “Extended Share” and “Late Fall Share” as well.

“After returning from the [Land’s Sake] farm, the kids were compelled to start their own cooking program here at the Club” – Molly McPherson, South Boston Boys & Girls Club.

“Packing the CSA shares [for donation to Horizons for Homeless Children] was one of my favorite things, especially since we got to harvest the vegetables ourselves” – GreenPower
Land’s Sake, Continued

The farmstand will also be open longer hours this summer.

We received great feedback from Weston residents and Land’s Sake members that morning hours were important. Beginning in mid-June, the farmstand will be opening at 11 a.m. from Tuesday through Sunday, closing at 7pm on weekdays and 4 pm on weekends. You’ll find the familiar Land’s Sake veggies, local fruit, and fresh bread, and perhaps some new items, too. We’re excited by the new hours, and we hope to see you often!
The snow may be barely melted, and leaf-out may still be weeks away, but spring has begun for Land’s Sake, and that means that our busy season has already started.

We encourage you to join us for a Supper Club later this spring, or a full-moon members-only cocktail this summer. Sign up for an adult education workshop or our famous “Coop Loop” tour of Weston chicken coops. Then join us in September for the Harvest Dinner to celebrate and cap off a fantastic summer!

Hurricane Sandy Cleanup

Hurricane Sandy arrived on October 29th and caused a huge amount of damage to the approximately 100 miles of trails which are maintained by the Weston Forest & Trail Association. Almost all of the trails were obstructed by one or more fallen trees. The Jericho Town Forest was the hardest hit. At one place in this Forest, a large white pine tree measuring three feet in diameter fell lengthwise along the middle of the trail.

One of our very generous members offered a challenge grant in the amount of $10,000 to help us defray the costs of all the necessary cleanup work, provided we received comparable support for a “Weston Open Space Cleanup Fund”, whose primary purpose would be to get our trails, fields and hilltop outlooks back to normal as quickly as possible. We made a town wide mailing to solicit matching funds and the response was phenomenal. We received almost $20,000 as the result of this mailing. Thanks to this extra funding (approximately $30,000), most of the cleanup was accomplished by the end of the year, and what is left to be done will be completed during the first part of 2013. We were able to pay our trail steward, Lynn Atkins, not only for many extra hours of her own time, but also for people to help her.
Deer Hunting in Weston
By Laurie Bent, Weston Conservation Commission Chair

1. Why is the Conservation Commission worried about too many deer in Weston?

Deer are adversely affecting Weston’s people and ecosystems. The Department of Fisheries and Wildlife estimates that Zone 10, which includes Weston, has 20-30 deer per habitable square mile, while the optimal sustainable number is 6-10. Excessive deer browse is damaging our forests by causing loss of native wildflowers such as the lady’s slipper and the trillium, loss of maple and oak tree seedlings (thereby shifting the future composition of the forest to the species that deer avoid, including invasives), and loss of habitat for ground- and shrub-nesting birds such as ovenbirds, eastern wood pewees, and wood thrushes. Deer are a causal factor in the spread of Lyme disease, which has reached epidemic proportions in Massachusetts. Since 1995, an average of 31 deer-car collisions have been reported annually in Weston.

In addition to its bow-hunting program, the Commission is working with the Brandeis University Environmental Studies program to set up three exclosures on conservation land. Exclosures keep the deer out; over time these spaces will show us what would be present in the forest without deer browse. In addition, we are establishing vegetation transects to measure browse on maple and oak seedlings, and planning a springtime census of the vulnerable lady slipper. A multi-year tick-dragging study to track changes in tick numbers is also underway. We are installing boxes with tick information pamphlets that will be available at many trail heads to inform people how to prevent Lyme disease, and how to recognize its signs and symptoms.

2. Would we have Lyme disease without deer?

According to the State Lyme Disease Commission’s February 28, 2013 report, “Lyme disease emerged as a result of three main factors: (1) reforestation after the abandonment of pastures and farms, (2) increased development (suburbanization) and recreational use of habitat, and (3) expansion in the density and distribution of white tailed deer, the main reproductive host of the deer tick.” Lyme Report, p. 25. The female adult tick requires a blood meal from the deer before she can lay her 2,000-plus eggs. Islands that once experienced high rates of Lyme infection, such as Monhegan Island, Maine, had no deer ticks and no Lyme disease once the deer were removed. Research is ongoing to determine the level of deer population that would break the deer tick/deer/Lyme disease cycle; the results so far indicate that level to be between 8 and 12 deer per square mile. (Fairfield County Deer Alliance.)

The Lyme Disease Commission reported that the incidence of tick-borne disease “is on the rise, both numerically and geographically. Massachusetts ranks among the most highly endemic states, with incidence rates that placed it in second place in the nation in 2008.” (Lyme Report, p. 13.) Lyme disease is notoriously under-reported, because laboratory testing is not routinely performed, laboratory results are unreliable and difficult to interpret, and clinical diagnosis is often not reported to the Massachusetts Department of Public Health (MDPH). The MDPH itself estimates a 5 to 10-fold under-reporting rate for Lyme disease. (Lyme Report, p. 7.) Further, the Center for Disease Control only reports confirmed cases that are passed along to it by the MDPH. This flawed reporting chain makes it impossible to draw any conclusions about trends in the number of Lyme cases, in Weston or statewide.

3. What are the statistics on deer-car collisions?

The number of reported deer-car collisions in Weston peaked in 2000, at 41. For the next decade, this number fluctuated between 30 and 40 per year. Reported collision numbers have since declined: 28 in 2010, 26 in 2011, and 24 in 2012. This welcome news may indicate that Weston’s deer and drivers are becoming more
cautious. State Farm Insurance Company reported recently that, nationwide, the number of deer/car collisions had also decreased. (USA Today, 10/31/11.) Deer-car collisions tend to be single-car accidents that drivers often choose not to report to the police or to their insurance company. Even at these lower numbers, cars were still the most common killer of deer in Weston prior to the recent hunting season.

Drivers are more likely to hit a deer in November than in any other month because November is the mating season: young males in rut are distracted and not paying attention to traffic. An analysis of the time of day when deer are hit showed that accidents peak when rush hour coincides with dawn and dusk, which are times of low visibility and high deer movement.

4. Is bow-hunting safe?

Bow hunting from tree stands is well-suited to suburban areas. For as long as the state has been keeping records, there has not been a single report of an injury to a non-hunter during bow-hunting season. Two characteristics of bow hunting make it safe. First, the effective range of a bow is very short (generally not more than 25 yards) and the hunter must have a clear view of the deer at close range to attempt a shot. Second, from a stand, the trajectory of the arrow is downwards, so even if the hunter misses, the arrow goes into the ground. Bow hunting is taking place successfully on public lands in nearby towns including Sudbury, Framingham, Medfield, and Dover, without mishap or conflict with other users. The key to a safe program is careful control of who is allowed to hunt, and where and how they are allowed to hunt.

5. Can hunting have a measurable impact on the number of deer in Weston?

Wildlife biologists have told us that reducing the herd by about 100 deer annually, including those killed by automobiles, would eventually bring Weston’s deer population to sustainable levels. In 2012, hunters on private and public lands combined took a total of 36 deer. Another 24 were killed by cars, for a total of 60 deer, enough to slow the rate of growth. We hope gradually to increase hunting on both public and private land. We do not know exactly how many deer live in Weston; the number is probably between 200 and 400. Firm numbers are impossible to come by, and the Commission believes it is more important to measure the impact the deer are having on vegetation. In time, a sustainable harvest level might be around 50 a year. With perseverance, we might achieve success similar to that of Quabbin Reservoir. Harvest rates there 20 years ago when hunting was begun were over 500 per year; now they are about 100 per year, and diverse native vegetation has returned to the forest floor.

Reducing deer numbers by hunting in Weston will not cause the population to increase due to a rebound effect. A starving deer herd has birthrates that are below normal. Rebound occurs when the stress is reduced, either through more food or fewer deer, and the herd's birth rate returns to normal levels. Weston's deer are not stressed or starving, and we have observed anecdotally that the does in Weston are reproducing at a normal rate.

6. Can we control the deer population using contraception?

Contraception has succeeded on small, isolated herds of deer. The most promising contraceptive, GonaCon, can be administered by darts, but does must be struck twice the first year and then once a year for several subsequent years, a task that would require enormous resources. To be effective, 90% of the does would have to be vaccinated, and it would be impossible to be sure that every doe who wandered into Weston had been treated. Vaccination would have to be repeated each year for an indefinite time to have a lasting population impact. The US Department of Agriculture Wildlife Services has concluded that GonaCon alone cannot reduce an overabundant deer population to healthy levels. Current contraception techniques are simply not realistic methods of reducing a wild, free-roaming deer population.
Weston and Deer
By Alicia Primer for Weston Deer Friends

We in Weston are blessed to have more than 2000 acres of Town owned conservation land. This wonderful land is used daily and in all seasons by families, hikers, birdwatchers, and pets. This past Fall public lands were opened for the first time to hunters.

Why did the Conservation Commission decide to open our conservation land to hunting? After a self-selected survey with 231 respondents, or 1.9% of the town’s population, 72% of whom (166 people) considered deer a “problem”, the Conservation Commission determined that deer are a “problem” in Weston. Their solution was to allow hunters onto our town lands.

What about Lyme Disease? The reason that hunting will not control Lyme Disease is because hunting does not significantly reduce the tick population. (Wilson et al., “Reduced Abundance of Immature Ixodes dammini Following Elimination of Deer.” J. Medicinal Entomology 25) The truth is that the white-footed mice, not deer, carry the Lyme bacteria. Black-legged ticks carry the disease from the white-footed mice to other mammals. Adult black-legged ticks feed not only on mice but also on deer, raccoons, skunks, opossums, dogs, foxes, humans and other medium-sized mammals. When deer are hunted and become scarce, ticks do NOT necessarily become scarce, because they will feed on any of the other alternative hosts, or increase their numbers in the surviving deer (Osfeld RS Lyme Disease: The Ecology of a Complex System 2011, Oxford University Press). Indeed recent studies in New York and New Jersey found NO correlation between deer and ticks (Jordan RA and TL Schulze, 2005 Environmental Entomology 34; Jordan RA, TL Schultz and MB Jahn 2007 Journal of Medical Entomology 44; Ostfeld RS et al 2006 PLoS Biology 4) In addition, reducing the deer population allows regrowth of underbrush that hides mice and ticks alike.

Additionally, the national Center for Disease Control reports that the incidence of Lyme Disease in MA has declined dramatically from a peak in 2009. (http://www.cdc.gov/lyme/stats/chartstables/incidencebystate.html)

What about deer-car collisions? Concern about traffic accidents are another reason some call for a reduction in the deer population. Even as the number of car trips in Weston increases every year, the Weston Police Department reports that deer-car incidents peaked in 2009 and have declined each year since.

Who hunts in Weston? Twenty-six hunters were given permits for hunting in Weston, only six of whom are Weston residents. Twenty-six hunters had use of many acres of our town conservation land for three of the most beautiful months of the year, October through December.

What weapons are used for hunting in Weston? Not the wooden bows and arrows from movie westerns, these are high tech metal weapons that powerfully propel arrows with long, razor sharp blades. Arrows can be shot the length of a football field. While a hunter in his stand shoots in a downward trajectory, the deer are often wounded and travel, necessitating horizontal shooting. The blades on the arrows are dangerous to any children or pets who may encounter them in our town lands.

Is bow hunting safe? The issue of safety cannot be undervalued. We all want to feel safe in our town, on our streets and in our forests. The perception of danger from hunting may have kept Weston residents from using our conservation land during hunting season. There were several incidents in which wounded deer were seen by children in their yards. Weston Deer Friends wants to stop hunting on our town lands before a person, or a pet, or other animal is injured by hunting.

Do our neighboring towns allow hunting on public land? Hunting is forbidden on public land in every single town neighboring Weston: Lincoln, Wayland, Natick, Wellesley, Newton and Waltham. Weston is the only one to allow hunting on public land. Weston is known for many things, fine schools and our scenic roads among them. Do we want to be known as the suburban hunting destination?

Can hunting in Weston have a measurable impact on the town’s deer population? The killing of
Weston and Deer...continued from preceding page

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Can hunting in Weston have a measurable impact on the town’s deer population? The killing of eighteen deer in a season is not a population management program, it is recreational hunting. There is data that suggests a “compensatory rebound effect” in which multiple births and increased fertility and better survival rates follow periods of hunting. The population spike is supported by regrowth in foliage. (Verme, L. “Reproductive Patterns Related to the Nutritional Plane of White-tailed Deer.’ J. Wildlife Management 33.)

Typically, culling works to reduce deer population in isolated areas like islands. Since Weston is not an island, deer from surrounding towns may be drawn into any newly under-populated areas.

Can the deer population be controlled using contraception? First, estimates of the deer population in Weston differ widely and whether or not control is even necessary is subject to debate.

The only way to permanently reduce deer population is to do so gradually slowly with birth control methods like immunocontraception, that use the body's immune response to prevent pregnancy (Kirkpatrick JF, Lyda RO, Frank KM. Contraceptive vaccines for wildlife: a review. Am J Reprod Immunol 2011; 66: 40–50). Birth Control of wildlife has been tried successfully in several communities. For example, in Fire Island NY, the National Park Service reduced the deer population there by 70% between 1993 and 2010. (AWI Quarterly, Winter 2012). The city of Austin TX recently announced a plan to investigate the use of immunocontraception on their deer.

How can we learn more about the issues surrounding hunting in Weston? Weston Deer Friends invite residents to an informational forum called “Living with Deer and without Lyme Disease” to be held at Weston Public Library on Wednesday May 1 at 7:30 p.m. Additionally, the League of Women Voters will host a coffee hour on the topic of deer hunting on Saturday, May 4 at 10:30 a.m.

How can we stop hunting in Weston? Please come to Town Meeting on May 13 to vote “Yes” to ban hunting on Weston’s public lands. Our fields and forests belong to all of us.
Community Preservation Committee Update
By Steve Ober, Community Preservation Committee Chair

The Community Preservation Committee (CPC) evaluates proposals submitted by Town boards and committees or community groups for use of funds that the Town receives pursuant to Article 31 of the Town By-Laws and the state Community Preservation Act (CPA) which the Town accepted in 2001. The Act provides for a participating town to adopt a property tax surcharge (or some combination of a minimum 1% property tax surcharge and other municipal revenues) up to 3% with the State matching a portion of the local receipts. The Town voted in 2001 to surcharge up to the 3% maximum.

Pursuant to the CPA legislation, a community must spend, or set aside for future spending, a minimum of 10% of annual CPA receipts on open space (including recreational purposes), historic preservation, and community housing. The remaining 70% of funds may be allocated to any one or a combination of these uses at the discretion of the CPC and subject to the approval of Town meeting.

After a 6-year effort by supporters, changes to CPA legislation were enacted in July 2012 which include the following noteworthy provisions: 1) permits the rehabilitation with CPA funds of recreational assets which were not acquired or created using CPA funds and 2) transfers $25 million from the state’s budget surplus to the CPA Trust Fund, which is expected to increase dramatically the state match distributed to CPA communities next fall. Massachusetts legislators have expressed support for, but not guaranteed, State budget surplus transfers to the CPA Trust Fund on an annual basis.

In October the Town received its eleventh disbursement from the State's matching Community Preservation Trust Fund. Weston’s total State match was $502,911, or approximately 29% of the reported CPC surcharge. From 2002 to 2007, funds from the statewide CPA Trust Fund were distributed to CPA communities at the match rate of 100%. In more recent years (due to a rise in program participation and a decline in deed recording fees which fund the program), the State’s match to communities had fallen to below 30%. However, as the local real estate market recovers, the State’s Trust Fund has rebounded of late showing double digit year over year gains since March 2012, without the addition of the promised $25 million from the State’s budget surplus. From the program’s inception through the end of FY12, the Town collected over $9.6 million in CPA revenue from the State and nearly $15 million in CPA revenue locally and earned over $2.4 million in investment income on these receipts.

Total CPA fund revenues available for FY14 are projected to be $10,406,628 and are comprised of the following: 1) $7,930,284 prior year balance, 2) $1,819,400 local property surcharge, 3) $621,258 state match (conservatively estimated at 35%), and 4) $35,686 investment income.

The deadline for submission of applications for CPA funding in FY14 (July 1, 2013 – June 30, 2014) was January 7, 2013. The CPC met to review applications on January 14, February 11, and March 4, 2013 and held a Public Hearing on March 18, 2013. The table on the next page shows requests for FY14 CPA funding, which will be on the warrant for May Town Meeting:

Dappled sunlight in the Sunday Woods. CPA funds helped to acquire this parcel.
# PENDING APPLICATIONS FOR FY14 CPA FUNDING

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<td>Historical Commission</td>
<td>$125,000</td>
<td>Preservation/Restoration of Town owned cemeteries</td>
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<td>Recreation Commission and Traffic &amp; Sidewalk Advisory Committee</td>
<td>$250,000</td>
<td>Creation of Sidewalks/Walkways</td>
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<td>Weston Affordable Housing Trust</td>
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<td>Design fees for the creation of 7 units of community housing at 68–71 &amp; 74 Warren Ave.</td>
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<td>Town Manager</td>
<td>$15,480</td>
<td>Staff assistance to support the Housing Partnership and acquisition of housing functions through a regional housing office</td>
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<tr>
<td>Conservation Commission</td>
<td>$150,000</td>
<td>Preservation of Open Space - 80 Acre Conservation Area (Hobbs Pond Dam)</td>
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Toppled gravestones, waiting patiently to be resurrected with CPA funding

71 Warren Avenue, scheduled to be made into affordable housing units with CPA funds
Case Estates
(with thanks to Selectman Michael Harrity)

The road to this point has been a winding one for the Case Estates saga. For a complete understanding of Weston's efforts to purchase the Case Estates from Harvard University, please refer to the Town's website at: http://www.weston.govoffice.com/, and go to “Town Projects,” on the left hand side where you can click on “Case Estates” to get the full story.

Recent Developments:

In January 2013, Harvard presented the town with a “take it or leave it” proposal. This proposal had three elements:

1. Harvard asserted that there had been sufficient soil testing to determine the extent of the contamination. Harvard claims that approximately 16.32 acres of the Case Estates land is currently clean and available to be used without restrictions, including being sold as 7 single family home lots. According to Harvard, the remaining 46.2 acres could be readily remediated to safely allow only passive recreational uses with an A.U.L. (Activity Use Limitation) deed restriction.

2. Harvard required the town to acquire the land “as is” so Weston would assume the cleanup costs and risks. Harvard estimated that the cleanup costs would be $2,800,000 but provided no details as to how that estimate was determined.

3. Harvard asked for a sale price of $16,800,000 in gross, less the $2,800,000 estimated cost of the remediation for a net price of $14,000,000. Harvard’s asking price estimated that 7 house lots could be created within the areas that are uncontaminated with a presumed value of just under $1,000,000 per lot. Harvard also asserted that the value of the remaining land which could be used, once cleaned, for passive open space purposes only, was $9,900,000 or over $204,000 per acre.

The Selectmen discussed Harvard’s proposal at their February 4, 2013 meeting and noted serious differences and concerns about the Harvard ultimatum:

Weston had consistently maintained that it would not acquire the land until after Harvard completed the MassDEP-mandated remediation. The Selectmen continue to believe that it would be imprudent for Weston to take on the uncertain costs, risks and liabilities of the clean up, especially since in this instance neither the extent of the contamination nor the remediation plan implied by Harvard’s proposal have been submitted to MassDEP or otherwise vetted by the Public Involvement Process.

Harvard’s assertion that 7 house lots could be created and sold is speculative and the estimated values are inconsistent with the Town’s Chief Assessor’s view of their likely value.

The estimate of the value of contaminated land at over $200,000 per acre is unsubstantiated by any market transactions and in the Selectmen’s opinion vastly overestimated.

The 3 buildings on the property are all within the boundaries of land where only limited use would be allowed so they might not be usable and may need to be demolished.

The Selectmen responded to Harvard’s proposal with a letter rejecting Harvard’s revisions to the contract and confirming that Weston remains willing to proceed with the purchase on the agreed upon hybrid plan terms (remediation so that about 52 acres would be fully usable and only 10 acres would be use-restricted). Harvard asserts that the remediation of the contamination spelled out in the hybrid plan cannot be done, so its contract with the town is void. There has been no resolution of these conflicting views, but Harvard remains obligated to proceed with some level of cleanup under state regulations, whether the Town acquires the property or not. In late April or early May Harvard will resume the MassDEP process with a public meeting in Weston describing its plans for proceeding with the long-delayed cleanup. Harvard’s proposed revisions to its previously filed plans should reveal its intentions for the future of the Case Estates.
Regis College Appeal
Land Court Conference Scheduled
Status as of March 19, 2013
In mid-April, Judge Sands will meet with lawyers representing Regis College, the Town of Weston and intervening Abutters. At that time he will schedule a trial date for Regis’ appeal before the Land Court, or take such other action as the Court and the Parties deem appropriate.

Parking at Kendal Green Train Station
The Transportation Public Advisory Commission has studied the free parking capacity issues at The Kendal Green Train Station. It was determined that, of the 55 spaces, approximately 20 are used by Weston Residents. In an effort to guarantee more parking opportunities for Weston Commuters and residents wishing to take the train it was recommended to the Selectmen that the closest 30 spots be reserved for Weston residents.
This chart shows the trends in WFTA membership over the last decade. Quite a number of Weston Land Trust members have let their membership lapse, and we very much hope they will resume supporting our important mission.

**Gifts and donations**

By George Bates, WFTA Treasurer

Lee—who died this past summer—was a devoted and generous Trustee and supporter of the Association and will be sorely missed.

Lee Cohen’s wife, Rhoda, gave our Association $50,000 as a memorial to Lee for the acquisition of conservation land by fee or easement and the construction of new walking trails. In Rhoda's words: "This gift comes as a sincere thank you for the Association's efforts to ensure the continued preservation and improvement of the many miles of trails and acres of open space which contribute so much to the quality of life within our community."

The Leon Cohen family trust (Fields Pond Foundation) has also contributed $20,000 for the construction of a bridge in memory of Lee Cohen. The bridge is to be constructed on conservation land in Weston.

We have been given $100,000 to be held in escrow to help fund the reconstruction of the Hobbs Pond Dam. This money will be released to the Town of Weston when the work has been completed.

The Association gratefully acknowledges a gift of 0.41 acres of land on Ferndale Road from Judith J. Emerson Price.

The Association currently owns 189 acres of conservation land, and 18 miles of trail easements. We are most grateful to the many generous residents who have donated land or easements to enable everyone in Town to enjoy the many acres of open space in Weston.
**Weston Forest & Trail Association, Inc.**  
**Operations – 2012**

### Cash & Cash Equivalents 1/1/12

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dues</td>
<td>$24,095.40</td>
</tr>
<tr>
<td>Endowment Fund</td>
<td>21,968.65</td>
</tr>
<tr>
<td>Gifts</td>
<td>70,210.00</td>
</tr>
<tr>
<td>Map sales</td>
<td>1,060.00</td>
</tr>
<tr>
<td>Book sales</td>
<td>749.00</td>
</tr>
<tr>
<td>Interest</td>
<td>2,427.11</td>
</tr>
<tr>
<td>Operations Fund</td>
<td>7,650.00</td>
</tr>
<tr>
<td>Weston Reservoir Fund</td>
<td>4,962.00</td>
</tr>
<tr>
<td>Hobbs Pond Dam escrow amount</td>
<td>100,000.00</td>
</tr>
<tr>
<td>Weston Land Trust</td>
<td>30,456.51</td>
</tr>
<tr>
<td>Sandy Hurricane Fund</td>
<td>29,294.25</td>
</tr>
</tbody>
</table>

**Total Receipts**  
$292,872.92

### Disbursements:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office Expense</td>
<td>$13,404.11</td>
</tr>
<tr>
<td>Insurance Expense</td>
<td>2,527.36</td>
</tr>
<tr>
<td>Accounting</td>
<td>1,650.00</td>
</tr>
<tr>
<td>Maintenance:</td>
<td></td>
</tr>
<tr>
<td>Contract Services</td>
<td>32,818.25</td>
</tr>
<tr>
<td>Other</td>
<td>5,238.60</td>
</tr>
<tr>
<td>Weston Reservoir Fund</td>
<td>5,484.64</td>
</tr>
<tr>
<td>Map Expense</td>
<td>1,494.50</td>
</tr>
<tr>
<td>Real Estate Tax</td>
<td>254.20</td>
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<tr>
<td>Legal Expense</td>
<td>2,535.00</td>
</tr>
<tr>
<td>Merger Celebration</td>
<td>3,407.60</td>
</tr>
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</table>

**Total Disbursements**  
$(68,814.26)

### Cash and Cash Equivalents 12/31/12

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Checking Account</td>
<td>$21,533.27</td>
</tr>
<tr>
<td>Vanguard GNMA Fund</td>
<td>246,539.98</td>
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</table>

**Total Cash and Cash Equivalents**  
$268,073.25

*This total includes Restricted Funds as follows:*

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weston Reservoir Fund</td>
<td>$4,678.92</td>
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<tr>
<td>Cohen Funds</td>
<td>70,000.00</td>
</tr>
<tr>
<td>Weston Land Trust Fund</td>
<td>24,513.91</td>
</tr>
<tr>
<td>Hobbs Pond Dam Escrow Fund</td>
<td>100,000.00</td>
</tr>
</tbody>
</table>

**Total Restricted**  
$199,192.83
Weston Forest & Trail Association, Inc.

Endowment Fund - 2012

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance 1/1/12</td>
<td>$1,031,122.80</td>
</tr>
<tr>
<td>Income and Capital Gains</td>
<td>105,001.25</td>
</tr>
<tr>
<td>Balance 12/31/12</td>
<td>$1,136,124.05</td>
</tr>
</tbody>
</table>

The average market value of the Fund in 2012 was $1,083,623.43. The Cost of Living Index for all Urban Consumers in the Boston Area increased 2.0% during the year ended November 2012. 2.0% of $1,083,623.43 is $21,672.47. Real income from the Fund in 2012 is calculated as follows:

\[
\begin{align*}
\text{Income and Capital Gains} & \quad $105,001.25 \\
\text{Less inflation adjustment} & \quad (21,672.47) \\
\text{Real Income or (loss)} & \quad $83,328.78
\end{align*}
\]

$83,328.78 is 7.69% of the average market value of the Fund in 2012. The average real rate of return on the Fund starting in 1989 is 3.18%.

During the year we received contributions to the Endowment Fund in the amount of $21,968.65 which have been retained as operating funds.
Join us for a walk on Weston’s trails and enjoy our open spaces
Weston Forest and Trail Association, Inc.
The Weston Land Trust
266 Glen Road, Weston, MA 02493

Join the Association...make us stronger than ever

___ Individual membership        $ 25
___ Family membership           $ 50
___ Supporting membership*     $ 100 * (recommended)
___ Leadership Support          $ 1000*
___ Life Membership**            $ 2,000 or more**

Note that all membership contributions are fully tax-deductible

* If you wish to receive the exclusive, unique WF&T coffee mug, please check here __

** Life Members will receive a framed certificate of appreciation, unless checked here __

Also, please send me ___ copies of “Walks on Weston Conservation Land” by Elmer E. Jones @ $ 15.00 each, plus $ 2.00 for postage and handling. This book and the maps of the Weston Trail System ($10.00) are available at the Conservation Commission office, in the Town Hall. All can also be purchased on the WF&TA website at www.westonforesttrail.org

CHECK HERE ( ) TO GET IT ALL:
Supporting Membership + Trail Map + Trail Guide + coffee mug for $ 125.00

Name: __________________________________________________________________________________________

Address: ________________________________________________________________________________________

Please make checks payable to the Weston Forest and Trail Association, Inc.
and mail, together with the above form, to Mr. George Bates, Treasurer, 266 Glen Road, Weston, MA 02493. You can also join over the web at www.westonforesttrail.org

Come to the Annual Meeting
May 9, 2013, 7:30 p.m. to 9 p.m.
The Weston Scout House on School Street