

A Letter from Edwin S. Webster

Editor's note: Newton Conservators director Dan Brody recently received this letter under mysterious circumstances. While we have verified the facts stated in the letter, we cannot vouch for the letter's opinions or its authenticity. Our fact-checking, along with additional photos and maps, can be found online at newtonconservators.org/webster-letter

To the members of the Newton City Council:

My name is Edwin S. Webster. I have a unique perspective for you to consider as you evaluate Mayor Fuller's proposal to take by eminent domain 17 acres of the woods that are named after my family.

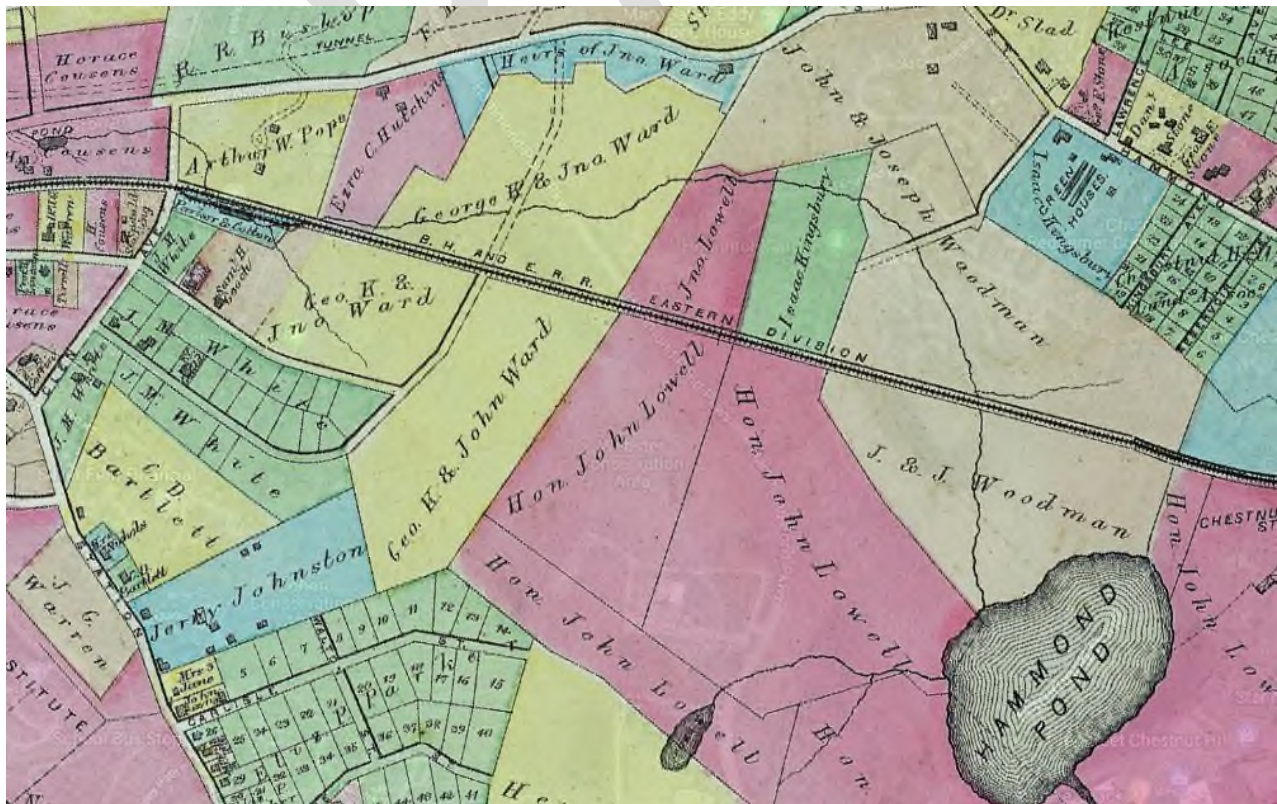


I was born in 1867. My friend Charles Stone and I founded Stone & Webster in 1889. What began as a small engineering consulting firm quickly grew to a large enterprise that built streetcar systems, power plants, and office buildings throughout the world.



By 1895, our success made it possible for my wife, Jane, and me to build a 20-room country house on Hammond Street in Newton. I have resided in (or, you may say, haunted) the house ever since.

Hammond Street, and the nearby pond, were named for Thomas Hammond, who farmed much of the nearby land in the 17th century. By the time we moved to this part of Newton, farmland had mostly been replaced by forest, and the land was fragmented among a half dozen owners. Much of the land was owned by my friend, U. S. Circuit Court Judge John Lowell. John and his children built several stately houses on their land on the east side of the pond.



Jane and I were attracted to the area by this description in the 1889 *King's Handbook of Newton*:

"So broad and sequestered and unfrequented is this lovely forest that no sounds of prosaic human life invade its cloisters, and nothing disturbs the saunterer's reflections but the low songs of the birds, or the scampering of an occasional gray squirrel over the dry leaves."

Another attraction was the frequent train service to Boston provided by the Boston & Albany railroad from the new Chestnut Hill station, built by noted architect H. H. Richardson in 1886. Our home was just a 10-minute walk from the station. Considering the poor condition of the roads to Boston, taking the train was faster and more comfortable than using our carriage when we wanted to visit our Back Bay home or my office.

In 1906, our neighbor Martha Houghton bought 10 acres of land next to her house and began creating the lovely garden that still graces the site and bears her name. Martha helped found the American Rock Garden Society in 1934. I chat with her from time to time, and I want to report how pleased she is in the work the Chestnut Hill Garden Club and many neighbors have done to restore and preserve this beautiful spot.

Jane and I admired Mrs. Houghton's garden, but we feared that the rest of the pristine woods in the neighborhood would soon be destroyed by residential and commercial development. So we began acquiring property in the woods that stretched between Chestnut Hill and Newton Center. By 1916, we had bought much of the land between Beacon Street and Boylston Street.

Unfortunately, the Boston and Albany train line formed a barrier between our house and most of our newly acquired land. So we were pleased to reach an agreement with the railroad in 1917 to give us permanent rights to a grade crossing at the end of Lowell Lane. A hundred years later, this crossing of what is now the MBTA Green Line still gives walkers easy access between Houghton Garden and Hammond Pond.

Jane shared my passion for conserving land and making it accessible to the public. Near our house, she created the "Deer Park," which for decades allowed these graceful creatures to delight visitors to the woods. She also led land conservation efforts near our summer home in Falmouth.

In 1893, the Legislature had established the Metropolitan Park Commission to acquire and protect parks and conservation areas in the region. One of the Commission's first acts was to purchase the 6000-acre Blue Hills Reservation, to preserve it forever as conservation land. Its first purchase in Newton, in 1895, is now the Hemlock Gorge Reservation. By 1897, the state had preserved the Middlesex Fells, Beaver Brook, Lynn Woods, and Stony Brook Reservations. An 1897 report submitted to the Commission by noted landscape architect Frederick Law Olmsted noted that:

"The purpose of investing public money in the purchase of the several metropolitan reservations was to secure for the enjoyment of present and future generations such interesting and beautiful scenery as the lands acquired can supply. ... It is, moreover, quite unlikely that there will ever be any need of artificially modifying them in any considerable degree. Such paths or roads as will be needed to make the scenery accessible will be mere slender threads of graded surface winding over and among the huge natural forms on the ground."

In 1915, I was about to turn 50, and Jane and I were thinking about how to assure that our woods would be preserved in their natural state for all time. The creation of the Park Commission convinced me that the Commonwealth shared my view of the importance of protecting conservation land. Therefore, in 1915 I donated land in the heart of the woods to the Commonwealth of Massachusetts, for use as a

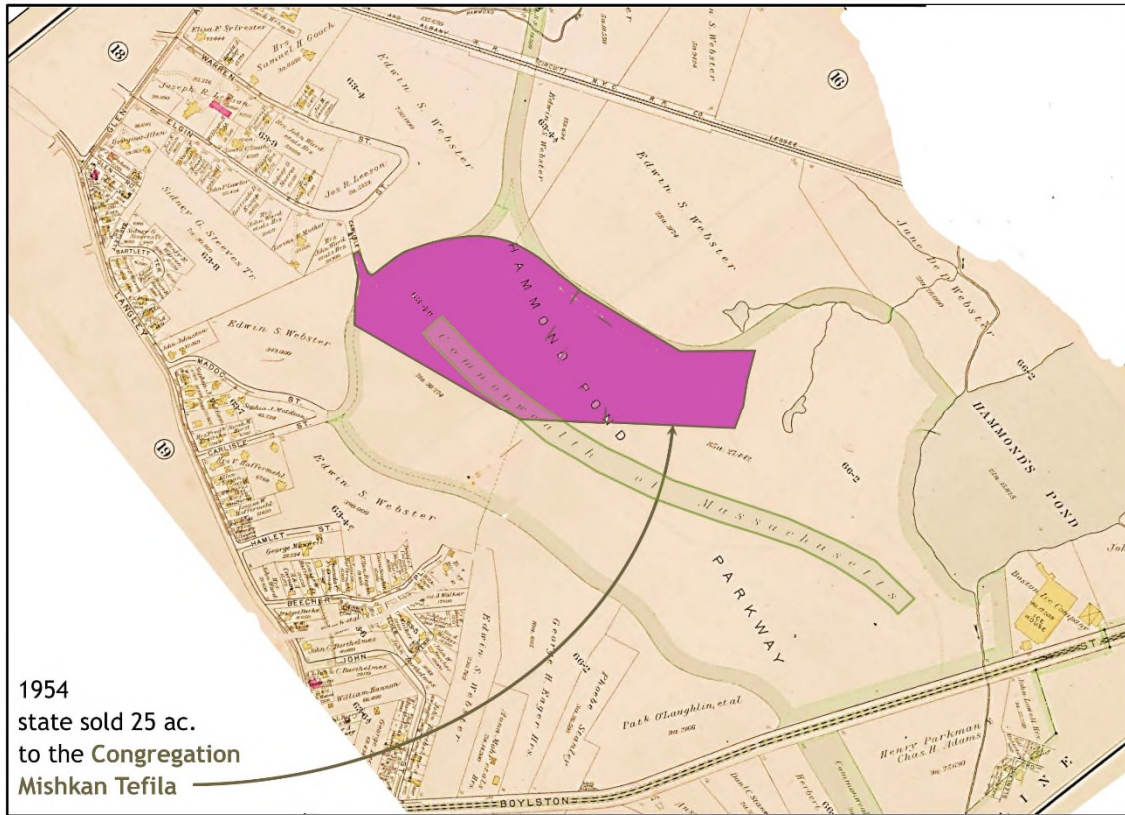
conservation area. I was confident that the Commonwealth would preserve this land forever, as that was the explicit goal of the Metropolitan Park Commission and the stated purpose of my gift. Events soon after my death were to show that I was sadly mistaken.

By 1917, the Commonwealth had acquired additional land from John Lowell's estate, so that much of the woods was under the protection of the state:



In 1936, I donated another seven acres, at the edge of the woods next to Warren Street, to the City of Newton for use as a play field, because I understood that some more active uses of land were needed.

I died in 1950, and my earthly remains were interred in Mount Auburn Cemetery, another lovely spot. But I turned over in my grave when I learned, just four years later, that the Metropolitan District Commission (the successor to the Park Commission) decided by a 3 to 2 vote to sell 25 acres of the reservation for development by Temple Mishkan Tefila.



The state's argument for selling the land was laughable. The Boston Globe reported that "The MDC voted to sell the site after it had been determined that the cost of developing the area for recreational purposes would be prohibitive because of ledges." The land I donated to the state **already** was perfectly suited to "recreational purposes" such as walking and nature study, without the need for any development.

The state didn't even get market value for the land, which it sold to the temple for just \$10,000. This amount was the price of one typical house in Newton at the time.

I was glad to hear that the City of Newton immediately challenged the sale in court after the Board of Aldermen voted 15 to 3 to try to block it. Unfortunately, the City lost its lawsuit, and the temple developed a portion of the land.

I wondered why 25 acres of land was sold, even though the temple building and parking lots took up less than a third of its new property. I found the answer in a 1958 history of the temple: "As for telephone and electric service, the most economical way was to go westerly over our land to Elgin Street and in order to enable the Edison Co. to string its wires we had to cut a road through virgin forest for a distance of 1600 feet."

Although I have long feared for the fate of the 17 acres that the temple did not develop, I am gratified that the public has had use of the land ever since my donation in 1915, despite the 1954 sale. Newton residents still freely walk on paths throughout this area, regarding it as one continuous forest area.

The sale to the temple was not the only actual or threatened abuse of land in the state reservation. The state evidently concluded that this land was too valuable to preserve. In the 1950s, five acres adjacent to Hammond Pond were transferred to a shopping center developer for use as a parking lot.



In 1952, the state sold another 26 acres, just west of the pond, to Gerald W. Blakely, the chairman of the real estate development firm Cabot Cabot & Forbes. However, for reasons I haven't been able to determine, the Legislature reconsidered and in 1956 ordered the land to be repurchased.

On the west side of what is now Hammond Pond Parkway, another 21 acres was sold for the development of a shopping mall. In all, almost half of the 100 acres that I donated to the public in 1915 or that the state bought in 1917 have been turned over for private development.



This is not what Olmsted had in mind when he wrote in 1897 that state conservation land would be disturbed only by "mere slender threads of graded surface winding over and among the huge natural forms on the ground."

The strangest episode began in 1968, when another section of the woods came under threat. On November 14th, the Board of Trustees of State Colleges filed an eminent domain taking of 31 acres of our land between Hammond Pond and the railroad tracks. Its plan, which had been authorized by a legislative appropriation, was to build a new campus for the Massachusetts College of Art. My service as a trustee of the Museum of Fine Arts is testimony to my love of art. But I think this would have been a terrible location for a college of art.

The Newton Board of Aldermen agreed with me, and on December 2nd filed its own taking of the land, for "park, recreation, and conservation purposes." The City of Newton, together with Jane and the other trustees of the Chestnut Hill Farm Association, which Jane and I had set up to control this land after my death, went to court to challenge the state's taking of the land. The Supreme Judicial Court agreed (on a technicality) that the state's taking was invalid, leaving Newton's taking in effect. The land was later added to the Webster Conservation Area. (Several years later, the College of Art received a new home just a block from the Museum of Fine Arts, a far better location.)

If all of Webster Woods that was taken for or threatened with development had been developed, the woods would have been decimated:



Fortunately, the City of Newton and other open space advocates saved most of the woods on the east side of the parkway. But the west side remains under threat from Boston College's recent purchase. In a 2019 court filing, Boston College's president wrote that "The University has plans in progress and anticipates future development of the entire HPP [Hammond Pond Parkway] Property."

However, there's also been some good news during the past 50 years. One positive result of the outrageous misuse of my land donation and other similar cases around the state was the passage by Massachusetts voters in 1972 of Article 97 of the constitution, which requires approval by a two-thirds vote of the Legislature before any publicly owned park or conservation land may be developed.

And I am pleased that the City of Newton has taken vigorous action to protect additional portions of the woods. In 1968, the City used a "friendly" eminent domain taking to purchase 38 additional acres of Webster Woods from my estate. Jane and I were honored that the city named this conservation area in our memory.

After Martha Houghton's death in 1956, her garden fell into disuse, and a portion of it was subdivided for development. But in 1968 and 1979, the City of Newton used eminent domain to acquire the remaining 10 acres that are now held as the Houghton Garden Conservation Area.

After Jane's death in 1969, the Cohen family acquired one of the most pristine sections at the western edge of the woods, with the intention of subdividing it for housing development. I was pleased that in 1972, the City again used eminent domain to buy most of this beautiful valley, known as Webster Vale,

from the Cohens. The City has named this land the Charles Cohen Conservation Area, and it forms an integral part of Webster Woods, along with several other parcels acquired by the city over the years.

I'm baffled to hear some people today say they support saving Webster Woods but oppose the use of eminent domain for this purpose. If the city and state had been unwilling to use eminent domain, virtually none of the Webster Conservation Area and Hammond Pond Reservation would have been protected. In this map, the areas shaded in gold were preserved through eminent domain takings. The date of each taking is shown on the parcel. Some of these takings were friendly and others less so, but all were necessary to save the woods.



The 2016 sale of the 25 acres to Boston College put an essential part of my 1915 gift to the public in immediate danger. I have resigned myself to the fact that the 8 acres nearest to Hammond Pond Parkway have been developed and are unlikely ever to be restored to forest. But it is a travesty that the 17 acres of forest remain under the threat of destruction.

I donated conservation land to the people of Massachusetts in 1915 so that it could be preserved forever. In 1954, 25 of these acres in the middle of the woods were taken from the people, contrary to the terms of the gift and to the stated purpose of the government agency in which I entrusted this land. The City of Newton now has the power and the responsibility to return to the people 17 acres of the woods that are named in my memory. I urge the City Council to authorize this action.

Edwin S. Webster