



*Working to preserve open space in Newton for 42 years!*

## *the Newton Conservators*

# NEWSLETTER

Winter Issue

[www.newtonconservators.org](http://www.newtonconservators.org)

February / March 2003

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## ***KESSELER WOODS FOR SALE CPA MAY MAKE PURCHASE POSSIBLE***

For many it was déjà vu “all over again.” Back in 1997, Boston Edison had hastily put its property at the intersection of LaGrange and Vine Streets on the market, seeking a quick turnaround. At that time, Edison was being pressed by the Attorney General to divest of assets like West Kessler Woods to offset the costs of restructuring and deregulation. After an appeal from then-Mayor Thomas Concannon, the company extended its bidding process from weeks to months to allow the City of Newton time to put together a credible bid for the property—the last large undeveloped parcel of open space in the city.

Sound familiar? In January of 2003, NStar, which now owns many of the assets of Boston Edison, initiated the same game plan, play for play: Quick sale through a short bidding process, effectively leaving the city without the time to prepare a credible offer. Appeal by Mayor Cohen to the company and the AG for a longer bid process. And finally, a four-month reprieve.

The difference this time is that we now have a source of funding. With the passage of CPA, the city can join the process with a great deal more confidence that it had in 1997. Then, after several months of inactivity, Boston Edison took the property off the market. The reason for this decision was never made clear, but it was welcome because the city simply had no means for offering a market-

*(Continued on page 2)*

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### **Newton Conservators Lecture Series**

Don't Miss Biologist

**JON REGOSIN**

*Tufts University PhD Candidate*

### ***“FOCUS ON THE VERNAL POOLS OF NEWTON”***

See Article on Page 7

**Wednesday, March 19, 2003**

**7:00 to 9:00 PM**

**Druker Auditorium, Newton Free Library**

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## **PRESIDENT'S LETTER**

*By Lucy Caldwell-Stair*

### **West Kessler Woods - The Missing Link**

NStar's upcoming sale of 42-acre Kessler Woods, located off Vine Street near Brookline Street in south Newton, presents an extraordinary opportunity to acquire one of the last remaining

*(Continued on page 2)*

*Kessler Woods for Sale, continued from page 1*

based bid for the land. Our best hope at the time was for a change of heart that would lead to Edison's donation of some parts of the land to the city or acceptance of a below-market offer.

With the agreement by NStar to move its bid deadline from February 21 to June 20, 2003, the city has already begun an aggressive process to prepare its best offer. Two firms have been hired—an appraiser and a land planner—to identify the value of the property and to develop various scenarios for best use of the parcel. This work will set the stage for a Request For Proposals through which it is anticipated that developers will be identified who will work with the city to acquire and develop a portion of the property, retaining most of it as open space.

This pragmatic approach recognizes that preservation of the entire 42 acres as open space is not likely to be possible. At current market rates, this property could be worth more than \$20 million. Beyond CPA, funds for open space acquisition through organizations like the Trust for Public Land, The Nature Conservancy, Audubon and The Trustees of Reservations are not available for high-cost properties in urban areas like Newton. We know this because each has looked at West Kessler Woods in the past and reached the conclusion that their money could go further if used elsewhere.

Our best hope to preserve the majority of this green space is to work cooperatively with a developer who is sensitive to our preservation wishes. Our hope is that dense development on a portion of the land will leave most of it as undeveloped, as it has stood for all of time. The as-of-right development plan filed by NStar in January (showing how the land might be used under current zoning rules), identifies 68 oddly shaped parcels that consume nearly all of the land. That, we know, is the worst possible configuration for this environmentally sensitive area.

There will be public hearings on the proposals developed by the city for use of this property as the process unfolds. These will probably come sometime in April. In addition, the plan selected by the city will require approval by the Community Preservation Committee and the Board of Alderman. These discussions and any associated hearings will be held in late May and June.

*Doug Dickson*

*President's Letter, continued from page 1*

large parcels of open space in Newton. With the availability of CPA (Community Preservation Act) funds, the city is in a position to compete for the purchase at least part of the parcel. At an estimated value of over \$12 million, it is likely that part of the land will end up being developed: some are calling for affordable housing.

As land conservation supporters and others consider the possibilities, it is useful to get familiar with the topography of Kessler Woods, especially the nine-acre portion of the property that appears to be part of Sawmill Brook Conservation Area, but isn't.

Take a look at the map on page 3, drawn recently by Conservator Judy Hepburn for our new map guide, *Walking Trails in Newton's Conservation Areas*. The shaded portion shows the land owned by NStar that lies on the west side of Vine Street, directly across from the larger Kessler parcel.

Here stands a wooded area that we surely don't want to lose to development. Sawmill Brook is a vigorous running stream that overflows during storms, and parts of the woods are delicate wetlands. The only way to enter the 20-acre Sawmill Conservation Area from Vine Street is to walk along the trail through NStar's property, a path walkers have taken for years.

The trail runs along Sawmill Brook, through wooded uplands and over wetlands, and passes between an opening in the lovely old stone fences, also on NStar property, before returning to the conservation area and passing by dramatic puddingstone outcroppings at the Marla Circle end of the trail.

Sawmill Brook Conservation Area connects to a much larger green corridor running through West Roxbury and south Newton. A walker can go into St. Joseph's Cemetery, across Baker Street to Brook Farm Historic Site. From there, trails lead to Millennium Park, the Charles River Path, across over to Cutler Pond, or on to Nahanton Park. In other words, starting at the Vine Street entrance, a walker can hike for many miles along a series of linked green spaces.

Sawmill Brook Conservation Area was acquired by the city in three phases. The northwest parcel was bought in 1979. In 1982, the city

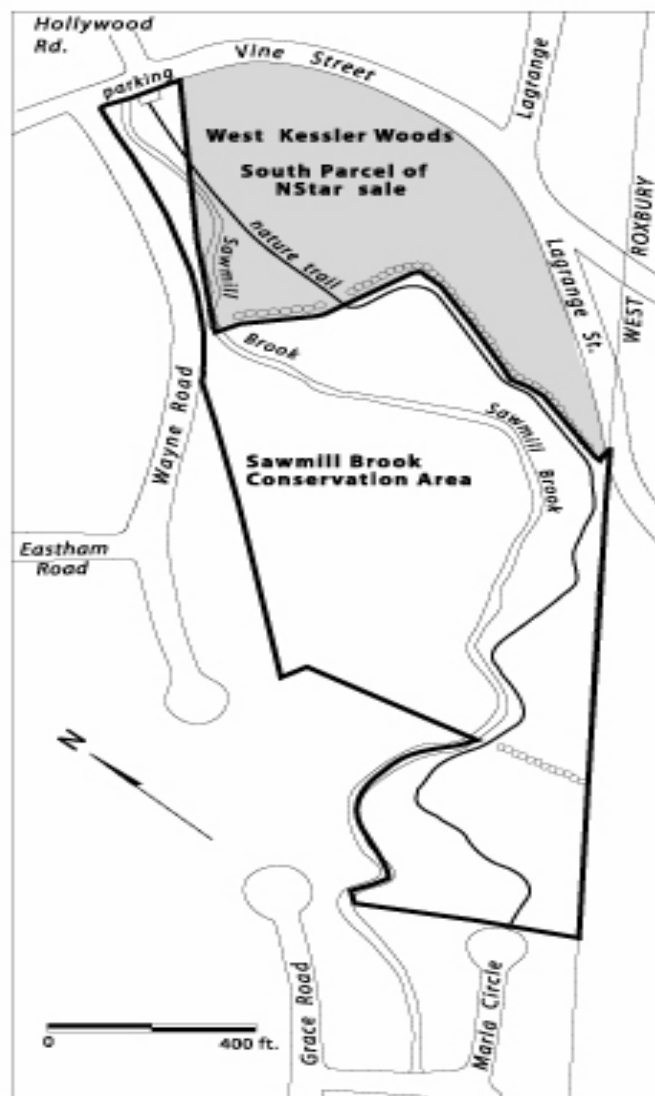
*(Continued on page 3)*

*President's Letter, continued from page 2*

acquired the southern parcel from Temple Beth Avodah, and in 1985 acquired the middle parcel. Each parcel was financed using state self-help funds.

Many of us think it's time for a fourth acquisition with funds from CPA. This would complete the link among these existing open spaces, making them fully accessible to those who, now and in the future, seek the benefits of open areas for recreation and environmental protection.

The Newton Conservators, Newton's open space preservation advocate and land trust, will be at the table working diligently toward this goal.



South parcel of NStar property and its relationship to existing sections of the Sawmill Brook Conservation Area. Note that nature trail would be blocked if this parcel is not preserved.

*Map by Judith Hepburn*

## ***WHAT MAKES KESSELER WOODS SPECIAL?***

The 42.7 acres of land owned by NStar, known as West Kessler Woods, consists of several very different zones, each with its own character.

The North Parcel (see map on page 4) has three upland sections connected by an extensive wetland area. Along Brookline Street is an upland area (Section A on the map) with dramatic topography, including steep grade changes of up to 20 vertical feet. Vegetation in this area includes mature hard and softwood trees, with large white pines predominating.

Along LaGrange Street is another upland area (Section B) with even more dramatic topographical features, including vertical rises of up to 60 feet and large outcrops of Roxbury puddingstone. Trees are mostly mature oaks, with red maples in the lower elevations.

The southernmost section of this parcel, at the intersection of Vine and LaGrange Streets (Section C), is a level area covered with mature hardwood trees. The wetland sections consist of about a third of the total area of the North Parcel and are densely vegetated with red maples and wetland shrubs.

The South Parcel, also accessible from Vine and LaGrange Streets, consists of mostly upland areas with gentle variations in topography. It has fewer and smaller rock outcrops and the vegetation consists mostly of mature hardwood trees. Several stone walls cross the site.

The wetland area of the South Parcel is associated with Sawmill Brook, which flows through a corner of this site, running from one section of Sawmill Brook Conservation Area to the other. Vegetation is typical of wetland areas.

As might be expected of a large natural site, this area is home to a great variety of birds and other wildlife. Some plants are rare to the area, though not unique or endangered. The wetland areas provide storm water collection and a flood plain during large storms.

A pathway that connects two sections of the Sawmill Brook Conservation Area runs through a corner of the South Parcel. If access to this land were lost, the connection between these two sections would be lost as well.

*Doug Dickson*



Map of North Parcel (showing Sections A, B and C) and South Parcel of West Kessler Woods. Dark areas are uplands and lighter areas are wetlands. Map taken from Insignia website ([www.lagrangelandsale.com](http://www.lagrangelandsale.com)), which lists terms and conditions of NStar sale of West Kessler Woods.

# Development Issues for West Kessler Woods

Several features of this site suggest that challenges lie ahead for development of some sections. One big issue is groundwater and drainage. In order not to affect the volume of water that flows into the wetland areas, retention basins and other devices will likely be needed to compensate for the amount of impermeable surface (roofs, driveways, etc.) that will be added to the site. Sawmill Brook is classified as a river by the state, which extends the protected buffer area to 200 feet on either side. Homes built recently in the area have experienced flooding and other drainage problems.

Another issue is sewer capacity. Backups of sewage into surrounding homes has been a problem and the addition of new homes would only make the situation worse. The MWRA proposes to build a new sewer line in the area in 2005, but planning for this line may not have taken significant new construction into account.

The topography of the North Parcel, while spectacular, presents a challenge for construction. Outcroppings of Roxbury puddingstone may require blasting to create level areas and significant grade changes may make siting of buildings tricky.

The number of mature trees on the property will require that developers plant a large number of trees on site or contribute to the city's tree replacement fund, as required by the Tree Preservation Ordinance.

Finally, zoning calls for single family homes on sites of 10,000 to 15,000 square feet, depending on the section. This is probably the least friendly approach to developing this property and some sort of cluster housing or other use with higher density will be needed if significant open space is to be preserved for the future.

*Doug Dickson*

*Don't Miss the Jackson Homestead Exhibit*  
**WALKS AND TALKS WITH NATURE:**  
**CHARLES MAYNARD**  
Newton's Naturalist  
*Through Spring 2003*

The Newton Conservators Newsletter© is published five times each year by the Newton Conservators, Inc. Issues usually appear in February, April, June, September and November. Deadlines for these issues are the fifth of each month in which an issue is scheduled to be published.

We welcome material related to our mission from any source. Send proposed articles by email in MS Word or rich text format to [dgdickson@rcn.com](mailto:dgdickson@rcn.com). Digitized photographs, maps and diagrams are also welcome.

Editor: Doug Dickson 617-969-8661  
Production: Bonnie Carter 617-969-0686

Thanks to the following contributors to this edition of the Newsletter: Stephanie Bacon, Lalor Burdick, Lucy Caldwell-Stair, Doug Dickson, Ted Kuklinski, Bruce McWhirk, Eric Reenstierna. Thanks also to Douglas Leith for his excellent proofreading services.

## **CONSERVATION RESTRICTIONS AND THE COMMUNITY PRESERVATION ACT**

As described in a previous Conservators Newsletter, a conservation restriction (or conservation easement) is a legal agreement between a landowner and a land trust or government agency that permanently limits a property's uses in order to protect its conservation values. When Newton acquires conservation land under the Community Preservation Act, the city must assign a conservation easement on that land to another entity. As a land trust, the Newton Conservators is already empowered to hold conservation easements and is in the process of determining how it can responsibly hold CRs granted under the CPA.

Newton voters approved the Community Preservation Act in 2001. This set in motion a process that has led to the Commonwealth of Massachusetts matching taxpayer funds to provide a continuing stream of money to be used to acquire properties for conservation, community housing, historic preservation, and recreation. By the end of June, 2003, there will be about \$4.8 million available for these purposes.

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Conservation properties under consideration for acquisition using CPA funds include ones on Elgin Street, Webster Park, and of course, Kessler Woods, on LaGrange, Brookline, and Vine Streets.

If the Conservators were to offer to hold conservation easements on any of these properties, we would shoulder new responsibilities, some of which are listed below (selected and abbreviated from the Standards of Practice for members of the Land Trust Alliance (a national organization):

**Examine the Property** – A land trust must know the property it protects by performing a Basic Site Inspection, identifying Conservation Resources, carrying out Environmental Due Diligence for Hazardous Materials, determining Property Boundaries, and assessing the Risks and Benefits of protecting the property.

**Protect the property** – A land trust must carry out a program of responsible stewardship by establishing that it has or can raise the funds needed to monitor and enforce the easement, by monitoring its conservation easement properties regularly, by communicating with the landowner, by enforcing the terms of its conservation easements, and by making contingency provisions for all of its easements in the event the trust ceases to exist or can no longer monitor them.

Adopting the complete standards is a requirement for membership in the Land Trust Association (another national organization). The Massachusetts Land Trust Coalition (of which the Newton Conservators is a member) also recommends these standards highly.

As noted above, these would add responsibilities to what we currently do, but they seem appropriate given our mission and history.

If you would like to help the Conservators prepare for and/or monitor conservation easements, please contact Doug Dickson, at 617-969-8661 or [dgdickson@rcn.com](mailto:dgdickson@rcn.com).

*Lalor Burdick*

## **Do We Have Your Correct Email Address?**

If your email address has changed recently or if you would like to be added to our Email Alert list, please send your address to Jason Glasgow, Membership Chair, at [jglasgow@attbi.com](mailto:jglasgow@attbi.com).

### **MISSION Newton Conservators, Inc.**

The Newton Conservators promote the protection and preservation of natural areas, including parks, playgrounds, forests and streams, which are open or may be converted to open space for the enjoyment and benefit of the people of Newton. It further aims to disseminate information about these and other environmental matters.

A primary goal is to foster the acquisition of land, buildings and other facilities to be used for the encouragement of scientific, educational, recreational, literary and other public pursuits that will promote good citizenship and the general welfare of the people of our community.

*The Newton Conservators was formed as a not-for-profit organization over 40 years ago in June 1961.*

## **Land Trust News**

The Kessler Woods property became the major target for open space acquisition this winter. But at the same time, proposals for other parcels have advanced.

**Elgin Street (Wilmerding)** – This is a 30,000-square-foot lot adjacent to the Cohen and Webster Conservation Areas off the Hammond Pond Parkway. The Conservators secured an option to purchase this property and, together with the Conservation Commission, is sponsoring a request for acquisition funds from the Community Preservation Committee. If funding is approved the city will take title to the land in the spring, and the Conservators will receive a conservation restriction.

**Webster Park at Dolan Pond** – Irene Forte, the owner of this property, passed away recently. She will be remembered by hundreds of students across the city as a music instructor. And, she was a wonderful steward of her land. “Miss Irene” owned 50,000 square feet with a stand of hemlocks that provide good habitat and a visual buffer on the south side of Dolan Pond. Her land has other high ground with mature trees, a field, and a single-family house on the front corner. Ted Kuklinski

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*Land Trust News, continued from page 6*

became a friend of Irene and visited with her through recent years, when she could no longer get out in her yard. This parcel has development potential and will be sought by developers. To lose it would mean a loss of upland habitat and visual privacy at Dolan Pond. We are working on an acquisition that would involve funding from the Community Preservation Act and that would also serve as a remembrance of the owner, who wanted the city to have this land.

**Angino Farm** and land behind **Temple Mishkan Tefilah** – These are two properties that have strong community support for protection. One is a small former farm (now a field, with a house and outbuilding) at the corner of Nahanton and Winchester Streets. The other is a tract of woods and wetland at the middle of the Webster Conservation Area, off the Hammond Pond Parkway. Acquiring the land behind the Temple is essential to the maintenance of Webster as a large, continuous open space. Angino Farm is very visible and presents the possibility of preservation as open space, for a community garden or for recreational use. The Conservation Commission, with support from the Conservators, applied to the city for funds for appraisals of both parcels in October but has not yet received a response. Members of the Conservators should speak up to their Aldermen and the Mayor to support funding for the land studies for these acquisitions.

Other potential acquisitions are out there, waiting to be pursued, on West Newton Hill, on Islington Road in Auburndale, at Hammond Pond, and on Farwell Street at the Charles River, to name a few.

The Conservators spent \$2,000 for an appraisal of the property at Elgin Street as part of the acquisition process. The Conservators sponsored the application for funding and will hold a conservation restriction on the property. Protecting open space sometimes costs money. A large part of the Conservators mission is open space protection. We need the help of our members. Any contribution you can make beyond membership dues will be put to good use and will be deeply appreciated, as part of the effort to “keep Newton green.”

*Eric Reenstierna*

## Focus on the Vernal Pools of Newton

**Newton Conservators Spring Lecture  
Wednesday, March 19, 7 PM  
At the Newton Free Library**

**JON REGOSIN**  
*Environmental Consultant and Tufts University  
PhD candidate in Biology*



Did you know that spotted salamanders, spring peepers, and wood frogs make their homes in parts of Newton? Have you ever heard strange sounds on early spring nights, and wondered what you were hearing? Many amphibian species still reside on Newton Conservation lands and other urban forest fragments. Vernal pools, small ponds lacking fish, provide critical breeding habitat for Newton’s remaining amphibian populations. On rainy nights during March and April, many amphibians in our area stage dramatic migrations to their breeding sites.

Jon Regosin, a PhD candidate in Biology at Tufts University who studies vernal pool amphibians, will present a lecture and slide show on vernal pools in Newton, and on conservation issues affecting amphibians in eastern Massachusetts. The lecture will take place on Wednesday, March 19, at 7 PM in the Druker Auditorium of the Newton Free Library. Jon, a Newton resident, is an environmental consultant on wildlife and rare species issues with Hyla Ecological Services, and was formerly a Conservation Planner for The Nature Conservancy of Rhode Island. A board member of the Newton Conservators, he has led a number of programs as part of Newton Biodiversity Days and the

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*Vernal Pools*, continued from page 7

Conservators walk series. A vernal pool walk will be scheduled later this Spring in conjunction with the Newton Conservators to see firsthand the wonders of vernal pools in Newton.

According to *A Field Guide to the Animals of Vernal Pools* (Leo Kenney and Matthew Burne), "Once thought to be just puddles in the forest, vernal pools are now recognized as rich but temporary ecosystems. Vernal pools are ephemeral wetlands which fill annually from precipitation, runoff, and rising groundwater. Most years they become completely dry, losing water through evaporation and transpiration. The wet-dry cycle prevents fish from becoming established, yet presents a rich, albeit temporary, habitat for many species. Beneath the still waters of these woodland pools is a staggering array of life. In Massachusetts, vernal pools are afforded some protection through local bylaws and regulations such as the Wetlands Protection Act."

This publication of the Massachusetts Division of Fisheries and Wildlife and the Vernal Pool Association ([www.vernalpool.org](http://www.vernalpool.org)) will be available at the lecture. This book serves as a photographic guide to all of the amphibians, reptiles, and invertebrates that utilize vernal pools for portions of their life (including all the salamanders, frogs, toads, turtles and snakes found in Massachusetts). It includes species accounts, key diagnostic features, natural history notes, and lists of vernal pool resources.

This free lecture is co-sponsored by the Newton Free Library and the Newton Conservators ([www.newtonconservators.org](http://www.newtonconservators.org)), an organization that promotes the protection and preservation of Newton's open space areas. Jon Regosin's lecture is the fifth in our twice-yearly Newton Conservators Lecture Series, which features renowned experts in areas related to the open space mission of the Conservators. As part of their educational outreach, the programs are free and open to the public. For further information on this event, please call the Newton Free Library at 617-796-1360 or the Conservators event coordinator, Ted Kuklinski at 617-969-6222 ([dolanpond@aol.com](mailto:dolanpond@aol.com)).

*Ted Kuklinski*



Mole salamanders belong to the genus *Ambystoma*. Due to their subterranean and nocturnal nature, few people have an opportunity to observe them. There are four species of mole salamanders found in vernal pools in various areas of New England. All four are obligate vernal pool species, meaning that their life cycle requires the use of a vernal pool.

## Changes at the State House

We have a new administration at the State House and there have been a number of environmental administrative changes. Bob Durand, the Paul Cellucci-appointed head of the Executive Office of Environmental Affairs (EOEA), had a lot of support from local environmental organizations to remain in that position. He spearheaded such initiatives as Massachusetts Biodiversity Days. He has been replaced by Ellen Roy Herzfelder as the new Secretary, who surprisingly has local connections, having grown up in Newton. Check out their website at [www.state.ma.us/envir/](http://www.state.ma.us/envir/) for more info and background.

Like all state departments, EOEA is under a budget squeeze and hearings were held recently on their budget. There will be a transition period while the new EOEA leadership gets up to speed and gathers knowledge of the state's critical areas, river systems, urban needs, etc. Innovative programs such as Massachusetts Biodiversity Days, the Watershed Initiative, and Lakes and Ponds grants were all on the chopping block. Here is the address if you wish to communicate your thoughts on the budget: Executive Office of Environmental Affairs, Ellen Roy Herzfelder, Secretary, 251 Causeway Street, 9th Floor, Boston, MA 02114, Phone: (617) 626-1000, Fax: (617) 626-1181.

*Ted Kuklinski*



# STOP MDC PRIVATIZATION

*Excerpted from an essay by Bruce McWhirk,  
Co-chair of the Metropolitan Park Council*

The vague language of ex-MDC Commissioner John W. Sears and ex-EPA Director John Devillars' proposal for the MDC's privatization offers few substantive details, but, if implemented, would ... adversely effect the quality of life for Greater Boston's 2.7 million citizens. Instead of privatizing the MDC, Governor Romney should restore funding to this destitute agency and declare a moratorium on the disposition of all MDC parkland.

Privatizing could transfer at least 152 miles of MDC parkways in the Metropolitan Park System of Greater Boston and over 900 miles of MDC roadways located throughout eastern Massachusetts (including the Wachusett and Quabbin reservoirs) to private contractors. Since MDC parkways and roadways principally run along the waterfronts of Greater Boston (beaches, rivers and ponds, and reservoirs), their privatization could create a precondition for some of biggest real estate deals of urban waterfront property in the United States, and even possibly the development of ocean-front casinos.

Privatization of MDC parkways, reservations and recreational facilities is not an issue of "cost savings" or "managerial efficiency." It would benefit the highway lobby and special interest groups. If past administrations' privatization record is anything to go by, or if Massport's ethos serves as any indication of policy direction, then MDC parkland and the agency's assets will not be cherished or properly managed for the public good. Consider the waterfront development of South Boston's Fan Pier, and its bruising experience for South Boston residents, or, as State Auditor DeNucci identified, the fiscally inefficient privatization of rinks by DEM (Department of Environmental Management).

Privatization of the MDC park and water system potentially represents the "spoils system" in the making: It could lead to the giveaway, takeover and development of irreplaceable public parkland and waterways by private businesses principally for private gain, and not for public enjoyment or benefit.

Let's ask one basic question, Who legally owns the Metropolitan Park System? The simple answer is, under Article 97 of the State Constitution, the people of Massachusetts.

Consider just one problem area in previous MDC privatization schemes - the long-term leasing, for a period of over 25 years, of MDC recreational facilities (hockey rinks, pools and public golf courses). This kind of leasing and transfer becomes a permanent disposition of state property under Massachusetts law. Some of these MDC recreational facilities already are prime targets for privatization, for instance, Steriti Memorial Rink, Boston (North End) is located on the Boston Harbor waterfront.

The John W. Flynn Rink in Medford and The Kelly Rink in Jamaica Plain in recent years have been renovated with millions of taxpayer dollars, and the lessee(s) would derive the instant benefit from these recent state expenditures. Also, admission/rental charges at these numerous facilities would no doubt rise significantly under privatization, adversely affecting children and their parents, and community youth hockey programs throughout the Greater Boston area. The transfer of management from the MDC to private corporations of The Ponkapoag Golf Course in the Blue Hills Reservation and The Leo J. Martin Golf Course in Newton and Weston near the Charles River would lead to further development in those areas, and threaten surrounding MDC parkland. The privatization of these golf course would also deny the MDC (or its successor agency) much needed revenue sources.

The privatizing of more than 27 MDC recreational facilities would continue to hold the state responsible for capital/structural improvements at these facilities for many years, but would give the lessee full advantage and power in developing other facilities on site. The lessee collects the entire profits of these facilities year by year, without incurring significant overhead costs.

More threatening, the privatization of MDC facilities within parks and reservations could create inholdings (private property surrounded by parkland) that would lead to further dispositions of Article 97 parkland over time. A patchwork of private holdings within the Metropolitan Park System will break up the System.

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A German word, "Raubwirtschaft" means "ruinous exploitation" or literally "robbing enterprise" and was applied by 19th century German environmentalists to situations where individuals, groups, or private corporations pillaged the public trust. Under privatization, the people's concern about the disposition of parkland near their homes will go unheeded, because they will no longer be protected by the MDC's existing powers to manage and use public parklands near their neighborhoods.

The Boston Metropolitan Park System encompasses today more than 20,000 acres of publicly used and irreplaceable riverbanks, marshes, forests, beaches and harbor islands; it also includes hundreds of recreational facilities as well as interconnecting parkways. Its scenic and bio-diverse landscapes, cultural facilities and open space for outdoor recreation are found in the heart of the metropolitan region's most thickly populated areas and constitute an invaluable public resource for the people of Massachusetts, that promotes and protects public health, sanitation, recreation and well-being.

From its beginning, the Metropolitan Park System has served as a regional "backbone" to city park systems like the "Emerald Necklace" in Boston, and local park systems throughout Metropolitan Boston, like those in Cambridge, Malden, Newton and Quincy. Even today the System joins together 37 Greater Boston cities and towns by unifying their neighborhood parks, parkways, playgrounds, promenades and bikepaths.

Without the MDC's regulations and permitting system to preserve, protect and properly manage these publicly-owned resources, the MDC's park and water systems would become open to development by corporations or individuals.

Under the vague language of proposed MDC privatization, the boundary lines of MDC parks and parkways are not specifically defined. Under such privatization arrangements, legal responsibilities of MDC officials and private contractors for environmental protection would be blurred. The destruction, despoilation and pollution of these irreplaceable public parklands and waterways would inevitably result. Clearly, privatization of the MDC is not the answer.

*Bruce McWhirk*

## **HAMMOND POND GRANT UPDATE**

In the fall of 2002, EPA awarded the City of Newton a 319 Non-point Source Pollution Grant for the mitigation of storm water pollution at Hammond Pond in Chestnut Hill. The proposal, prepared by Martha Horn, Environmental Planner for the City of Newton, and Stephanie Bacon, Friends of Hammond Pond will be implemented this spring.

A tentative timeline for Phase I includes wetland delineation and survey at the end of March or beginning of April, design and permitting during April and May, and installation of the bio-retention and sand filters from the beginning of June through the middle of October.

Although bio-retention filters are not a new concept, the one chosen for this application has not been extensively used in New England. Therefore, monitoring data collected at Hammond Pond will provide valuable information for further applications in our area.

The perimeter sand filter located in the western parking lot at the shopping center will help to prevent the particulate matter from plowed snow stored there from entering the pond.

Phase I also includes a public education and awareness component, which will involve signage and an educational brochure.

Phase II of the Storm Water Management Plan for Hammond Pond has yet to be funded. It will include an enhanced forebay at the Route 9 drain to catch particulate matter flowing to the pond from the drain and a Vortechs particle separator in the western parking lot to work in conjunction with the perimeter sand filter.

In order to help meet their monetary commitment to Phase I, The Friends of Hammond Pond are participating for the second year in the Bloomingdale's Shopping Benefit. You can show your support for this important preservation project by buying a \$10 ticket and shopping at Bloomingdale's on March 5.

See details of the Bloomingdale's Shopping Benefit on the next page. Bloomingdale's is a business partner in the Hammond Pond project.

*Stephanie Bacon*

*Don't Miss*



## the shopping benefit for Hammond Pond

bloomingdale's  
Chestnut Hill

**Wednesday, March 5, 2003**

The Friends of Hammond Pond are participating in the Bloomingdale's Shopping Benefit for the second year, along with thirty other local charities.

**Tickets to the benefit are \$10.**

By presenting a ticket at either Bloomingdale's store on March 5, 2003, shoppers will receive a 15% discount on purchases under \$300 and 20% on purchases over \$300. An additional 15% will be added for opening a Bloomingdale's charge.

Purchases may be made up to four days in advance of the event by presenting a ticket to any sales associate, who will hold purchases until the event or later. 100% of ticket sales go to the non-profit participants in the benefit.

**Tickets can be purchased by contacting:**

Stephanie Bacon at 617-734-2904 or  
Elisabeth Mundel at 617-522-6425.

## *Dolan Pond to Reopen in May*

The Dolan Pond Conservation Area (tucked between Auburndale Avenue and Webster Street in West Newton) has been undergoing a massive renovation since this past summer and, while work has stopped for the winter, it is expected to be completed this spring in time for a grand reopening

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in early May. The new boardwalk there has been substantially completed except for some side curbing. New stabilized soil paths will be installed in the spring.

The work includes new signage, information kiosks, some new side trails, and handicapped parking. The path and boardwalk will be one of the few natural areas in Newton that is handicapped accessible (a boon for those with strollers too!).

*Ted Kuklinski*

## EVENTS CALENDAR

Monday, February 24, 7:00 PM

Druker Auditorium, Newton Free Library

**ARJUN MAKHIJANI, Nuclear Physicist**

**"THE MILITARY AND THE ENVIRONMENT"**

**Green Decade Environmental Lecture Series**

Wednesday, February 26, 7:30 PM

Room 222, Newton City Hall

**Newton Conservators Board Meeting**

Wednesday, March 5

Bloomingdale's, Chestnut Hill

**THE SHOPPING BENEFIT FOR**

**HAMMOND POND**

**Sponsored by Friends of Hammond Pond**

Tuesday, March 19, 7:00 PM

Druker Auditorium, Newton Free Library

**JON REGOSIN, Biologist**

**"FOCUS ON VERNAL POOLS OF NEWTON"**

**Newton Conservators Spring Lecture**

Monday, March 24, 7:00 PM

Druker Auditorium, Newton Free Library

**"GROWING GREEN"**

PANEL: Mike Talbot, Don Bishop, Ann Barker

**Green Decade Environmental Lecture Series**

Wednesday, March 26, 7:30 PM

Room 202, Newton City Hall

**Newton Conservators Board Meeting**

Wednesday, May 21, 6:30 PM

Noyes Hall, Andover Newton Theological School

**NEWTON CONSERVATORS ANNUAL**

**DINNER MEETING**

**Details coming soon!**

**Seeking Nominations for the  
Newton Conservators**

**ENVIRONMENTALIST  
OF THE YEAR FOR 2003**

In honor of an individual or group that has contributed an extraordinary environmental service or benefit to the people of Newton

Send your nominations by phone or email to  
Lucy Caldwell-Stair  
617-928-3375, longwood@attbi.com

**NEWTON NATURE NOTES**  
*Eagles and Owls*

Boston College is apparently not the only place to see Eagles in Newton. We had two recent reports of Bald Eagles along the Charles River in Newton.

Jon Regosin (1/27/2003) reported: "I saw an immature Bald Eagle yesterday south of Nahanton Park in the MDC land along the Charles. This is an excellent area to see raptors, in general, including an occasional Rough-legged Hawk in winter. Especially good birding if you can get out of the woods and into the frozen marsh." Jon, our local vernal pool expert, says he saw the eagle from the bridge over the Charles, near the entrance to Nahanton Park.

It must be a good year for eagles because around February 3, there was another report of a bald eagle (mature--with white head, about 7:20 AM, flying downstream over the Charles River from the Forest Grove Park promontory in the Lakes District of Newton in Auburndale. This is in the vicinity of Cold Spring Park and near the outflow of Flowed Meadow. Forest Grove is accessed by going to the end of Rumford Avenue and turning left. It ends in a circle. Thanks to Lesya and Joris, who originated this report, and Bart Nichols who passed it along.

We have also lately received information on some local owl sightings. Michael Partridge led the

owling search party on our Newton Christmas Bird Count and in response to an inquiry as to where the owls were seen provided the following: "The Screech Owls we got this year were in Cold Springs Park (2) and Edmands Park (1). We got flashlight looks and OK digital photos of one of the Cold Springs Screeches (red phase) and the Edmands Park Screech (gray phase). The other Screech in Cold Springs was a "voice only" which is countable in the census.

"The Great Horned Owl was heard but not seen at Kennard Estate in south Newton, right near the Brookline border. The bird responded to a tape we played at the end of Pond Brook Road. This was the first Great Horned we have had on the Newton section of the count since 1995 and the first at Kennard (where they used to breed) since 1992 or so. If I had to hazard a guess I would say that the bird was calling from a tall pine grove that is on a hill at the eastern edge of Kennard, near the Brookline town line. This is about 1/4 mile or more from where we played the tape. In my limited experience, Great Horned Owls can be difficult to see even when you know they are there, because they prefer to roost 40 feet up and out of sight within the branches. Hearing the owl this year gives me hope that they will once again breed at Kennard, which is some of the only reasonable habitat they have in the Newton section of the Christmas count circle.

"We have found Screech Owls in all parts of Newton during previous counts. They are fairly common, but hard to locate unless you call them in. If anyone wants to join us for the owling part of the census next year (4 AM), you are welcome to join us. The more, the merrier!"

Just this past week, we received this report from Beth Schroeder about a Great Horned Owl in Cutler Park in nearby Needham. "We just saw a Great Horned Owl in Cutler Park. It was in the third tree back from the path, 100 yards from a big tree that is lying across the path if you are going clockwise around the pond. It's the second day I was looking for owls there and it was so exciting to see it." Beth provided the following directions to Cutler Park: Go down Needham Street from Newton Highlands heading toward Needham, where it turns into Highland Avenue. Turn left on 2nd Avenue in Needham. Continue until it becomes 4th Avenue.

*(Continued on page 13)*

*Eagles and Owls, continued from page 12*

Turn right on Kendrick Street. The parking lot for Cutler Park is on the left side of the street. It's a great place for hiking. We cross country ski there.

Here's some more information on Cutler Park from the web site  
http://www.state.ma.us/mdc/hemlock.htm: "The seven hundred acres known as Cutler Park comprise the largest remaining fresh water marsh on the middle Charles. Located in Needham and Dedham, the marsh and small lake attract over 100 species of birds which make Cutler Park a prime spot for nature study. Other activities suitable to this wetland preserve are hiking, canoeing and fishing. Open year-round, dawn to dusk. For more information call 617-698-1802." There is a great map of Cutler Park on this web site.

And lastly, as reported by Mary Lewis, the Screech Owl inhabiting the wood duck house overlooking the skating pond (Quinn Pond) at Dolan Pond Conservation Area has returned. She reports, "We have seen the little brown owl poking his head out while we are all gathered. He has become quite comfortable with us all. The kids think seeing an owl is very cool."

If you visit any of these places, please be sensitive to the birds and try to be a quiet distant observer so you don't disturb them.

*Ted Kuklinski*

### Get NEWTON NATURE NOTES Online

If you would like to receive sporadic, but timely information about future nature-related events, walks, lectures, and exhibits, you are invited to join the Newton Conservators-sponsored "Newton Nature Notes" email list. Contact Ted Kuklinski (617-969-6222) or send an email request to <mailto:dolanpond@aol.com>. Items may also be submitted for this newsletter to the same address.

### *Volunteer!*

Would you like to share your knowledge and enthusiasm for a local park or conservation area? Why not consider leading a walk there as part of the Newton Conservators Spring Walk series?

Contact Peter Kastner, 617-244-6094,  
[cpkastner@rcn.com](mailto:cpkastner@rcn.com)

**If you haven't paid your membership dues for 2002, it's not too late. Please renew today!  
And consider an additional tax-deductible gift to support our work!**



*Celebrating 42 years  
of open space advocacy  
in Newton*

### *Newton Conservators Membership Form*

PO Box 590011, Newton Centre, MA 02459 • 617-969-8661 • [www.newtonconservators.org](http://www.newtonconservators.org)

- YES, I'd like to start/renew my one-year membership with the Newton Conservators to help preserve open space in Newton. I'll receive informative newsletters and emails and be invited to participate in guided tours of local conservation areas, lectures, and other programs and activities.
- I'd like to make an additional tax-deductible contribution to support the work of the Newton Conservators: \$\_\_\_\_\_

### MEMBERSHIP OPTIONS

<input type="radio"/> Individual member	\$25
<input type="radio"/> Family member	\$35
<input type="radio"/> Sustaining member	\$50
<input type="radio"/> Donor	\$75
<input type="radio"/> Patron	\$100

NAME \_\_\_\_\_

STREET \_\_\_\_\_ VILLAGE \_\_\_\_\_ ZIP \_\_\_\_\_

EMAIL ADDRESS \_\_\_\_\_ Make checks payable to **Newton Conservators, Inc.**



# *the Newton Conservators* **NEWSLETTER**

## **IN THE WINTER ISSUE:**

- Kessler Woods Sale pages 1-5
- Conservation Restrictions and the CPA page 5
- Land Trust News page 6
- MDC Privatization page 9
- Hammond Pond Update page 10
- Owls and Eagles in Newton page 13

## ***Save these important dates!***

- **Bloomie's shopping benefit for Hammond Pond—March 5** (see page 11)
- **Spring lecture on Vernal Pools at the Library—March 19** (see page 7)
- **Newton Conservators Annual Dinner Meeting—May 21**



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