



# NEWTON CONSERVATORS

SUMMER ISSUE

# NEWSLETTER

Newton's land trust working to preserve open space since 1961

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## Taking Care of Hammond Pond

By Jennifer Steel, Senior Environmental Planner for the City of Newton

We often think of a pond as, well, a pond – a lovely expanse of water nestled in the landscape. But ponds, like all ecological resources are integrally connected to much larger upland and wetland systems. Hammond Pond, a shallow 22-acre freshwater kettle pond in Chestnut Hill, is no exception. A large wetland system to the north drains to the pond. A piped outlet flows southward to Sawmill Brook and eventually to the Charles River. Hammond Pond, like all ponds here in Massachusetts, is undergoing a slow natural succession. It is progressing from its “birth” from a buried block of glacial

ice through its “youth” as a deep clear water pond, through its “middle age” as a vegetation-rimmed pond, to its “old age” as a shallow marsh, to its ultimate metamorphosis into a wet meadow and woodland.

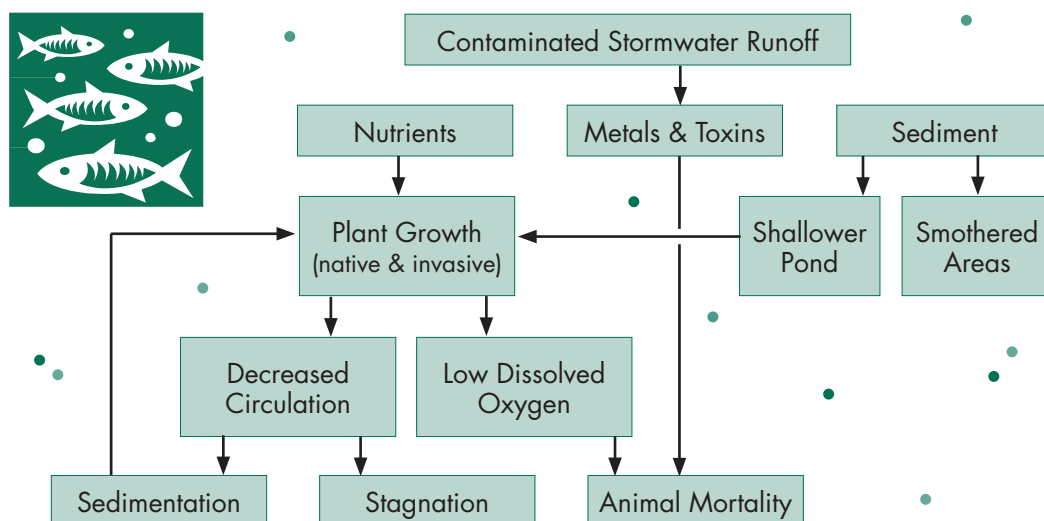
We, the pond’s neighbors, have had a real effect on that natural progression. We have exacerbated and accelerated many of the natural processes. The watershed to Hammond Pond is approximately 167 acres in Brookline and Newton. The pond receives 71% of all of its water from stormwater. Roughly 30% of the watershed is covered in impervious surfaces (rooftops and pavement); most of that is commercial space;



PHOTO: DAN BRODY

Hammond Pond

## The Chain and Cycle of Ecological Problems

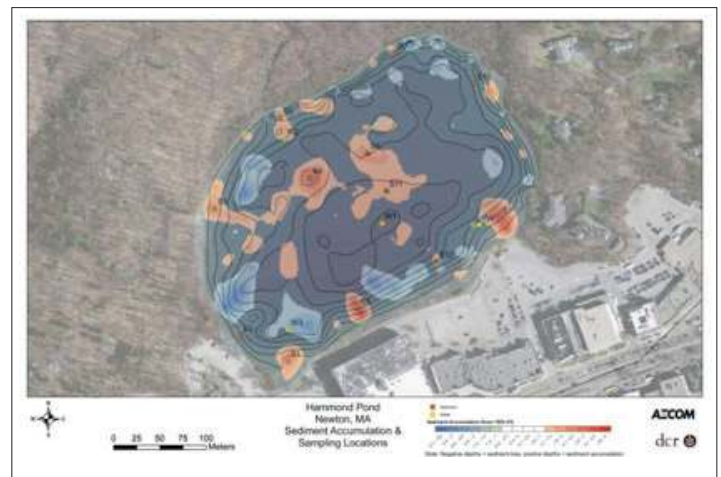


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Recent Aerial of Hammond Pond Showing Aquatic Weed Cover



Sediment Loss (blue) and Accumulation (red) Since 1954

but from that 30% area, came approximately 55% of the total phosphorus, 51% of the total nitrogen, and 85% of the total suspended solids introduced into Hammond Pond each year.

Because of these land alterations and intensive uses, Hammond Pond has been plagued with several **ecological** health issues over the years. These ecological health issues, of course, first and foremost adversely affect the flora and fauna of the area. They also affect **people's use and appreciation** of the pond. Some people complain about reduced opportunities for fishing and boating because of weed growth. Some are bothered by the sight of dense mats of floating vegetation or the smell of dying vegetation. Some are concerned about sediment filling in the pond.

Ecological processes tend to act as chain reactions and cycles, and Hammond Pond is no exception. Indeed, as a shallow kettle pond, it is particularly susceptible to such chain reactions and cycles.

Not surprisingly, human interests and ecological interests are not always aligned. Aquatic macrophytes can preclude fishers from enjoying their pastime... but they make great habitat for many fish. Feeding geese can bring great pleasure to pond-goers ... but the geese suffer ill-health from bread products and greatly exacerbate the nutrient load in the pond. Mute swans are beautiful creatures, regal in their white plumage and stately demeanor ... but they are aggressive exotic invaders that keep native waterfowl at bay. Sediment deposition changes the nature of ponds ... but ponds naturally evolve along with the native flora and fauna that inhabit them.

So, what should be done, from an ecological perspective?

1. We must continue to undertake efforts to **combat the causative problems**, i.e., we must slow the human-exacerbated rate of sedimentation, eutrophication, and non-native species invasions.

2. We should undertake efforts to **combat the resulting ecological problems** in the chain reaction of effects, i.e., we should do what we can to restore the ecological health (and recreational potential) of the pond in cost-effective, ecologically safe ways.

3. We should be wary of intensive and disruptive management schemes. [Note: Sedimentation is not, in and of itself, an ecological problem for the creatures of the pond (except for those bottom-dwellers smothered by direct deposits of sediment, and the stormwater treatments already installed should stop that). Therefore, dredging is not currently called for. The Comprehensive Plan for the Management of Morse's Pond in Wellesley states: "Dredging – removal of sediment would remove plants and their root systems, seed beds and accumulated sediment, effectively setting the pond back in time, but at great cost and with limited control over later regrowth, which is likely to be substantial and could involve undesirable invasive species without continued management by other techniques." Note that the "great costs" are both fiscal (millions of dollars) and environmental (the ecosystem is obliterated in the course of dredging).]

**Much has been done recently to address the causative problems.** Horsley Witten developed a Stormwater Management Master Plan that identified a series of watershed improvements to address the quality of the stormwater that reaches the pond (the "first flush" of which tends to be the most polluted). These recommendations have all been, or will shortly be, completed.

- **Address Route 9 Storm drain** – a system of stormwater chambers was installed
- **Address storm drain from roof of the upper mall and Hammond Pond Parkway** – a stormwater treatment unit will be installed in the summer of 2014
- **Address sheet runoff from Chestnut Hill Shopping Center Parking lots** – systems of sand filters and rain gardens were installed

- **Enhance public education with particular emphasis on geese deterrents** – *a campaign of signs and brochures was conducted*

Additional studies could be undertaken on potential causative problems associated with the man-made alterations to the flow regime such as the dam on Hammond Brook (should it be removed?) and the flashboards on the outfall pipe (should they be raised?).

**Future in-pond improvement projects could address the secondary ecological problem of excessive plant**

**growth.** Weed harvesting and chemical treatments are the most commonly accepted approaches to dealing with nuisance aquatic vegetation. Together they can restore open-water habitat, remove biomass (and so mitigate low dissolved oxygen conditions), and limit the potential for regrowth. Along with the stormwater treatments already in place, weed harvesting and chemical treatments can effectively improve pond health, with limited disruption to associated ecosystems and habitats. Many ponds are successfully treated with this multi-pronged type of approach. With such careful management, Hammond Pond, too, will continue on the slow road to recovery. ■

## Jennifer Steel, Senior Environmental Planner



Jennifer Steel is the Senior Environmental Planner in Newton's Planning Department, where she works to implement the state Wetlands Protection Act permit program, to manage conservation land and other open space in Newton, and to educate and to engage the public in issue of natural resource protection. She took over that position last September, and

if you haven't had a chance to meet her yet, we'd like to introduce her to you.

After graduating from Wesleyan University in Environmental Science, Jennifer Steel began her professional career as a teacher. She got a Master's Degree from Duke University in

Environmental Policy and began working in large, regional coastal research and management programs with the Environmental Protection Agency and the National Oceanic and Atmospheric Administration.

After four years, Jennifer left federal government to take a position as Interim Conservation Agent in her hometown of Wayland. There, where the regulation and education about natural resources and the implementation of laws to protect them converge, she found her niche.

For five years she worked for Mass Audubon's Advocacy Department, then returned to local Conservation work, serving the towns of Maynard, Framingham, Andover, and Uxbridge.

She lives with her husband and two sons in Wayland. ■

### MISSION

#### Newton Conservators, Inc.

The Newton Conservators promotes 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 53 years ago in June 1961.*

**The Newton Conservators Newsletter®** is published four times each year by the Newton Conservators, Inc., in June, September, December, and March. Deadlines for these issues are the first Friday 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 or letters by email in MS Word or rich text format to [bethwilkinson@mac.com](mailto:bethwilkinson@mac.com). Digitized photographs, maps and diagrams are also welcome.

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Thanks to the following contributors to this edition of the Newsletter: Kevin Dutt, Pete Gilmore, Katherine Howard, Beth Schroeder, and Beth Wilkinson. As always, thanks to Doug Leith for his excellent proofreading.



## President's Note

**This is a first: a combination of the usual Editor's Note and, because I was elected president of the Conservators on May 7, also a President's Message.**

I strongly feel the responsibility of helping to lead this historic organization and am honored to follow in the footsteps of so many capable and dedicated people who held the position before me.

In thinking about the year ahead, these issues come to mind:

- How to emphasize our role as land trust and to make sure that we are providing the best care for our properties,
- How to continue to wage effective war against invasive plants in Newton and to help to assure the future of the creatures that depend upon our native plants,
- How to assure the health of the bodies of water in Newton,
- How to continue to be an active participant in discussions about open space in Newton and to make sure that we speak and act in time to make a difference.

Those are four of my major concerns as I look ahead to the coming months and years. What are your top concerns? Let's begin a conversation . . .



PHOTO: BETH WILKINSON

*Groundnut, "apios americana" from  
Crystal Lake (Cronin's Cove)*



PHOTO: BETH WILKINSON

*Ordway Park after clean-up in May*

planner, Jennifer has accomplished an amazing amount of work: learn more about her in the brief profile that follows her article.

**Wishing you a great summer,**

☞ Beth Wilkinson

A member mentioned that she would like to see more coverage of the land-use decisions that are made by the Aldermen. For years, AnnaMaria Abernathy attended all land-use committee meetings and reported on their proceedings. Starting in our next issue, there will be a regular column on land-use; we are looking for volunteers to help us to gather the necessary information. If you attend a committee meeting or learn about new developments or if you want to tell us your opinion, please write to us at [newsletter@newtonconservators.org](mailto:newsletter@newtonconservators.org).

In this issue, don't miss Jennifer Steel's detailed and insightful cover story of the state of Hammond Pond and the work that's been done and will be done to improve it. In her first nine months as the city's environmental

planner, Jennifer has accomplished an amazing amount of work: learn more about her in the brief profile that follows her article.

# Annual Meeting Awards Recap



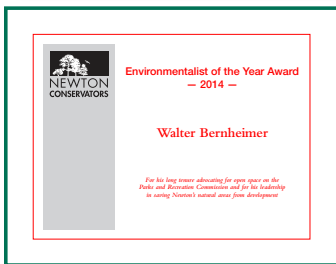
*From left to right: Peter Kastner, Beth Schroeder, Michelle Waldman, Pete Gilmore, Beth Wilkinson, Mike Clarke, Henry Finch and Speaker Julie McIntosh Shapiro. Thanks to Ted Kuklinski for making these stills out of his video!*

When it comes to the Newton Conservators' annual awards, there is no question about it. It is far better to give than it is to receive. "It is lovely to receive one of the Newton Conservators' awards," admits Jane Sender, a past recipient of the Environmentalist of the Year award, "but it is even lovelier to bestow them on people who have worked so generously to protect our precious environment here in Newton." Sender, who served four years as the Conservator's president, was an active participant in selecting this year's award winners. After much consideration, during which various nominees were proposed and considered, the Conservators Board selected six special individuals for recognition at this year's annual meeting. "When we give an award we are honoring the connection people feel between themselves and the natural world – and their generosity in spending their time to preserve and protect it," Sender explains. "We are very proud of our Newton Conservators' awardees over the last fifty years, and of the difference they have made in Newton."

## **Environmentalist of the Year: Peter Kastner and Walter Bernheimer**



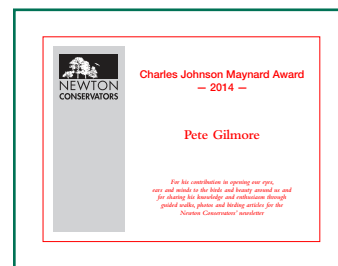
The Environmentalist of the Year award was initiated by the Newton Conservators in 1981 and has been presented every year but one to a local citizen or group who has contributed to improvements in the city's environment. This year the Conservators named two deserving individuals "Environmentalist of the Year."



Peter Kastner was singled out for his more than thirty years of "vigilance, tireless service, and advocacy protecting Newton's environment, leading the Conservators, and representing us on the Parks and Recreation Commission." The irrepressible

Kastner's "tireless service" also includes – but surely is not limited to! – serving as president of Friends of Nahanton Park, as a member of Mayor's Advisory Committee for Comprehensive Planning, as a member of Angino Farm Commission and as a district representative to the Auburndale Community Association. After a 30-year career in health care management, Kastner started restoring and selling historic maps in 2002, when he founded Community Heritage Maps. Kastner is generous in his support of other Newton non-profits, donating copies of his meticulously restored maps for various fundraisers.

The Conservators recognized Walter Bernheimer for "being one of the strongest advocates of open space on the Parks and Recreation Commission and saving natural areas in Newton from development." Bernheimer, who was appointed to the commission over 34 years ago by Mayor Theodore Mann, stepped down last year. Bernheimer was noted for adding a bit of levity to the sometimes contentious Commission meetings. During heated discussions over the fate of the pilot Cold Springs Dog Park in 2009, one participant insisted there should be an electronic fence and shock collars to keep the dogs in line. Commissioner Bernheimer diffused things when he responded drily, "Maybe we should put the collars on the dog walkers instead of the dogs."



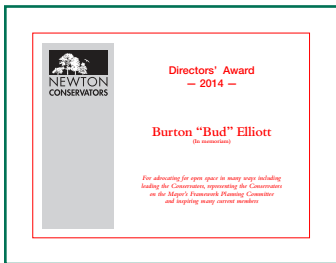
## **Charles Johnson Maynard Award: Pete Gilmore**

Newton native Charles Johnson Maynard (1845–1929) was an American naturalist, ornithologist, and writer of nature manuals. Each year the award that bears his name is given to recognize efforts "to improve biodiversity, habitat reclamation, and natural resource protection." This year the award went to long-time Conservators trip leader Pete Gilmore for "opening our eyes, ears and minds to the birds and beauty around us through his guided walks, photos, and writings."

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It's a cool October morning and birder extraordinaire Pete Gilmore is guiding a bird walk through Nahanton Park. About twelve enthusiasts have assembled, when Gilmore suddenly spots a group of new arrivals across the parking lot. The ever-observant Gilmore points out the gathering of little old ladies with pocketbooks under their wings, decked out as for a group shopping expedition! Wait a minute – pocketbooks under their wings?!? It's Gilmore's special way of sharing what he sees – whether it's a troupe of wild turkeys setting out to forage in Nahanton Park or photographs of cedar waxwings eating crabapples in Newton Cemetery – that engages and inspires local residents to interact with and protect our natural resources. Joining Gilmore for a walk in Cold Springs Park to hear the call of the Great Horned Owl or a canoe trip down the Charles River to identify spring migrants or even just reading his Conservators webpage column "Birds at My Feeder" can be a truly transformative experience.

### 🌿 **Directors' Award:** Bud Elliott and Andree and Richard Wilson



The Directors' Award is given to recognize community leaders and volunteers who have made a specific contribution. This year the Conservators honored the late Burton "Bud" Elliott for "advocating for open space in many ways including leading the Conservators, representing the Conservators on the Mayor's Framework Planning Committee, and inspiring many current members" and to Andree and Richard Wilson for their "cultivation and protection of a place of

great beauty in Newton, for their many years of welcoming others to enjoy their land, and for protecting it for the benefit of future generations."

When former Newton Conservators president Bud Elliott passed away on December 12, 2013, at the age of 87, his fellow Conservators remembered him as a life-long learner

who not only made supporting educational programs a Conservators priority, but created opportunities for Newton residents to become a more educated and involved citizenry.

Elliott organized the landmark Open Space Symposium in the fall of 1996. As Elliott envisioned it, the forum had four objectives: to provide a public understanding of the decision making process, a chance to raise questions, an opportunity to raise and hear issues, and to create an on-going dialogue to help resolve issues. Elliott would continue his vision into the next decade, representing the Conservators on the Mayor's Framework Planning Committee leading to a new Comprehensive Master Plan for Newton.

Both Andree and Richard Wilson have had a life-long concern for human rights and the world's disadvantaged persons. Richard, a professor emeritus of physics at Harvard and a specialist in risk-benefit analysis, served for years on the Board of Directors of the Andrei Sakharov Foundation to promote peace, progress, and human rights. Over the years Richard and Andree welcomed Soviet refuseniks and scientists to America, helping them to find jobs and assisting in their adjustment to a new country and culture.

But the Wilsons recognize it is not only humans who need their help, advocacy and protection. The natural environment can use an assist as well. The couple own a two-acre parcel of property in Newton Centre, "Jolly's Hollow," graced not only with Andree's beautiful gardens but woodlands which provide a wonderful habitat to a wide diversity of wildlife. The public has always been welcome on the Wilson property – a welcome the couple wanted to make sure was maintained for generations to come. Despite their increasing health challenges, the Wilsons went to considerable effort to secure a conservation restriction on their property. In the future the property can be sold, but the Conservators, as grantee, must make sure, in perpetuity, that anyone who buys the property adheres to the terms of the restriction: no building outside of the footprint of the house, preservation of the conserved area to maintain conservation values, and preserved public access along the path. The sign welcoming visitors to Jolly's Hollow warns "Beware of the Gardener – She Talks!" The Conservators trust that will be the case for many years to come. ■

🌿 Margaret Doris



PHOTO: JANE SENDER



# Update on Newton's Tree Ordinance

In early May, the Board of Aldermen passed revisions to Newton's Tree Preservation Ordinance. The changes were needed to ensure that the Ordinance, which has been in place since 1999, continues to be effective in preventing and mitigating the impact of tree loss due to construction and development activities. The recent boom in construction and high real estate values had highlighted problems and loopholes that needed to be addressed.

When it was passed in 1999, the Tree Preservation Ordinance was groundbreaking, one of the first of its kind in the region. It provided a process to protect trees on private property from damage or removal due to expansion or replacement of homes and commercial properties. It required trees removed by such construction and development activity to either be replaced "caliper for caliper" (i.e. one 8" diameter tree could be replaced by four 2" trees) or to pay into a city tree replacement fund. It is estimated that its passage has saved over 2,000 trees from removal and has required over 3,000 new trees planted.

The authors of the original Tree Preservation Ordinance were in uncharted territory in 1999 when they crafted its final language. Never before in Newton had such a detailed and encompassing regulation been created to protect trees on private property. They were tasked with creating language that did not infringe on the rights of homeowners in Newton and at the same time controlled tree loss caused by development.

The key to this preservation process was an exemption rule within the Tree Preservation Ordinance. It has always been the intent of the Tree Preservation Ordinance to require trees removed during building and development to be replaced as deemed necessary through a permitting process. The exception was for properties with an existing home that was occupied, which were not required to file for permits, to pay fees, or to replace trees.

In recent years the effectiveness of the Tree Preservation Ordinance has been diminished by a small number of individuals who exploited weak spots in its language, relating

to the exemption rule for residential property owners. The intent of the exemption was that the existing home stay in place and that it remain occupied during and after any trees were removed, but the Ordinance did not define "occupied," how to prove whether a home was occupied, or whether and how long it needed to remain occupied following tree removal. In some outrageous examples, a property

with a vacant home used the tree removal crew showing up to cut the trees down as the "occupiers" meeting the criteria for being exempt from getting a permit and replacing trees. In the last few years it has become increasingly common for an investor to purchase a property, cut trees down, demolish the home, build a new home, and then sell the property, all the while being technically exempt from the Tree Preservation Ordinance. We have also seen increases in another kind of alarming situation –

the investor arranging that the selling homeowner remove trees prior to the sale of the property, even including this in Purchase and Sale agreements.

Recognizing these problems were increasing, Urban Tree Commission and the Forestry Department worked over the past year on a revision of the Tree Preservation Ordinance, collaborating with the Mayor's Office and the Board of Alderman. This work culminated in the passage on May 5, 2014, of a revised Tree Preservation Ordinance that protects current homeowners' rights while more clearly defining the expectations for properties being developed for resale.

## The major changes are:

- For tree removal on a property where the existing home is being lived in (occupied) and no construction is planned: no permit or notification to the City is necessary. The property owner must have owned the lot for at least 90 days before removing the tree(s) and must own the property for eighteen months following removal. The property must have someone living in the home for the same time period.
- For tree removal on a property where the existing home is being lived in (occupied) and construction is planned: the



*Fairyland, Monprint by Mary Beth Maisel ©2014*

*Continued to page 8*

property owner must certify in writing that the property is an exempt lot. This certification is made on forms provided to the property owner by the City at the Inspectional Services Department. The property owner must have owned the lot for at least 90 days before removing the tree(s) and must own the property for eighteen months following removal. The property must have someone living in the home for the same time period.

- For tree removal on a property where the existing home is **NOT** being lived in: the property owner must apply to the Tree Warden for a Tree Permit prior to any exterior construction or tree-removal work.
- The Tree Warden will determine the extent of tree replacement that is required based on any protected trees (trees greater than 8 inches in diameter at 4.5 feet above grade) being removed. The Tree Warden may waive the replacement of trees if the property owner owns the

property for eighteen months following its legal occupancy following construction.

The next phase of this work will involve education of developers, real estate agents, local attorneys, tree removal companies and the rest of the public—letting them know that the Tree Ordinance has changed and that its rules must be followed. Educational materials, forms, and procedures with Forestry and Inspectional Services departments will be improved. Enforcement will also be assisted by an aware and educated public, as calls from concerned neighbors are a key way for Forestry to know about potential issues that may require intervention. ■

*Questions and concerns about the Tree Preservation Ordinance can be directed to Marc Welch, Director of Urban Forestry at [mwelch@newtonma.gov](mailto:mwelch@newtonma.gov) or (617) 796-1500.*

*Newton Tree Conservancy Board*



**About the artist (pgs. 7, 9):** Mary Beth Maisel is an artist who lives in Newton, where she creates beautiful monotypes, water colors and collages in her airy studio surrounded by beautiful gardens and trees. She wrote a chapter on printing monotypes using a gelatin plate in *The Art of Printing from Nature*. Visit her website at [www.marybethmaisel.com](http://www.marybethmaisel.com), and consider making an appointment to visit her studio.

## 2014 MEMBERSHIP RENEWAL

- *If you haven't renewed your membership already, now is the time! And consider a gift for a conservation-minded friend.*

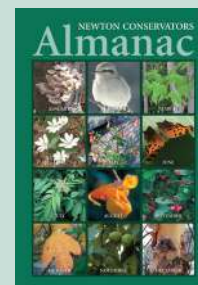
Visit our website at [www.newtonconservators.org](http://www.newtonconservators.org) if you wish to renew your membership online.

- *Enjoy the outdoors...*

Shop online at [www.newtonconservators.org/books.htm](http://www.newtonconservators.org/books.htm) to purchase Newton Conservators publications. Discounts for members: Almanac is \$15.95 + shipping, and the Trail Guide is \$6.95 + shipping. Buy today!



PHOTOS, LEFT TO RIGHT: PETE GILMORE, SUZETTE BARBIER





# Ferns Are Important



*Garden Treasures, Monoprint by Mary Beth Maisel ©2014*

Nowadays, ferns and their club-moss and horsetail relatives comprise about 3% of the vascular plant species in the U.S. and Canada – and even less of the biomass. They are pretty little plants growing mostly in damper areas, without much commercial utility. We might even get along without them. For a time.

When earth solidified around four and a half billion years ago, the atmosphere had lots of carbon dioxide and sulphur, and almost no oxygen. After a couple of billion years, life had developed in the oceans, and cyanobacteria started converting CO<sup>2</sup> into O<sup>2</sup>. Nearly all that oxygen combined with metals in the ocean and fell to the bottom to form the red rocks and clays we see today. That process was completed by about 600 million years ago, and then the oxygen content of the atmosphere started to climb, and life exploded.

Cell walls. Multicellular organisms. Specialization. Algae gave rise to mosses with a waterproof coat, and spores enabled propagation over larger spans of space and time. Over 400 million years ago the first plants developed a circulatory system. Horsetails, club-mosses, Isoetes, and ferns could grow more than four inches tall and still get water to their tops, and then grew up to 120 feet. They could send their roots and rhizomes deep beneath the surface, to reach the water table and to stabilize the taller plant; they could send oxygen down to the roots. This freed them from the narrow edges of lakes and swamps, and invasion of the land masses began. They produced biomass that mixed with the

rock dust and sand to create soil (and later so much as to produce all of our coal deposits.) Ferns invented leaves, and photosynthesis increased enormously. During the Carbon Age, 360 – 300 million years ago, oxygen levels grew to 35%, a figure not seen before nor since. Huge insects crawled and flew through the new forests, and animals began to crawl up onto the land. Rivers were lined with large rooted plants, which stabilized their courses, so they no longer meandered over the whole valley washing away any progress. Fields and forests could develop. All this happened twice as long ago as when the first flowering plants evolved.

The earth has seen five mass extinctions in which 50% or more of species have died out. Humans are causing the sixth one now. The last two were followed by Fern Spikes. When a meteor or whatever crashed near the Yucatan, the shock wave, fires, and months of darkness and cold killed off many species, including dinosaurs. In North America, pollen disappeared for a while as all spermatophyte plants died out. But spores of ferns and their relatives soon filled the gap, and managed to recreate a livable environment, regenerate the soil, clear the air, and welcome other life forms back again.

Ferns did not invent just leaves and coal. They and their relatives also created soil, air as we know it, forests, fields, and rivers. If our planet undergoes another catastrophe of similar scale, ferns will again be needed to reboot life on earth. ■

— Don Lubin

# Early Summer Arrivals in Newton

The southwest winds that have been alternating with backdoor cold weather have brought us a lot of very colorful warblers this year. These birds ride the southwest winds and then are stopped by the northeast cold fronts that present them with headwinds. We have been treated to a truly lovely spring, full of brilliant migrant birds. Most of these visitors are on their way north and spend only a few days devouring caterpillars and resting before continuing on in their journeys.



*Scarlet Tanager*

In addition, the Scarlet Tanagers, Rose-breasted Grosbeaks and Baltimore Orioles are flashing their colors and serenading us with their songs, now. Those three birds stay here for the summer.

All three of these colorful birds nest in our woods and open spaces after spending their winters far to the south of us. The Scarlet tanager winters in northeastern South America, and the Baltimore Oriole more to the north, in Central America. Both travel long distances between their summer and winter homes. The Rose-breasted Grosbeaks winter in Mexico and Central America but also are more to the west of the Andes Mountains in South America.

The grosbeaks eat seeds as well as insects, but the other birds in this article all live on insects and, thus, never could survive our winters. During the summer months, however, they are here, and they save our skins--literally. As annoying as the insect bites we do get are, it would be much worse without these feathered patrollers of our woodlands.

Think this over when you get ready to plant around your yard: native plants support native insects that support native birds. Lovely alien plants may end up denuding your spaces of birdlife, giving the bugs a free-fly zone.

A beautiful and unusual warbler turned up in Nahanton



*Yellow-throated Warbler*

Park in Newton this April. Word got around, and soon birders were flocking to Nahanton Park to see this sight. The bird was a Yellow-throated Warbler. These birds nest in the southeastern United States, getting as far north as Pennsylvania. They winter in the West Indies and the eastern coastal area of Central America. Our visitor overshot its breeding area by a few hundred miles. Fortunately, this bird has a good chance of correcting its migratory error, so by now it may be happily settled with a mate in Pennsylvania or West Virginia.



*Prothonotary Warbler*

Another southern warbler recently turned up along Florrie's Path in Nahanton Park. It was first sighted on May 18th. The word got out via the birders' computer hotline, Massbird, and people once again gathered in this park. This bird, a Prothonotary warbler, breeds as far north as Pennsylvania in the east but only sporadically that far north: it typically is more southern although it does get up to the shores of Lake Erie in the Midwest. It winters in southern Central America and Northern South America. This bird is a deep orange-yellow in color and is really striking in appearance. Its name,



prothonotary, refers to certain gaudily attired clerks in olden courts of law, among them the ecclesiastical courts of the Roman Catholic Church.

The Prothonotary Warbler was singing constantly. He undoubtedly overshot the mark on his northward migration this spring and was calling to establish a breeding territory and to attract a mate. In all likelihood, no mate appeared and he flew south-- if he is lucky. His chances will improve down there.

An example of what can go wrong with these long migrations is further exemplified by a bird that turned up in Mount Auburn Cemetery in Cambridge this May: a Fork-tailed Flycatcher, a bird that spends its summer in Argentina. In fact these birds range from Mexico to Argentina to breed: the Mexican variety is stationary throughout the year, but



*Fork-tailed Flycatcher*

the Argentinian birds need to migrate north to the Central American area in their winter (our spring). The probability is that this bird went north from Argentina and just kept on going: either its navigation got messed up, or a weather system carried it too far north. It can survive by eating our insects during our summer, but it will find no mate here. It was hanging out with Eastern Kingbirds, to which it is related. A hybrid between these two would be unusual.

There was a lovely Blue-winged Warbler singing for one day only on May 9 in my front yard. I posted it on the birders' website Massbird, and several Newton birders were able to drop by to see it. One visitor, Brooks Matthewson, is an excellent photographer and got some pictures of it surrounded by white flowers in our Bartlett pear tree, where it spent a lot of time. These warblers do nest in Massachusetts but not around our neighborhoods. They prefer the edges of open grassy fields, surrounded by larger trees. Nahanton Park has such habitat as does Flowed Meadow in Auburndale. Blue-winged warblers spend their



*Blue Winged Warbler*

winters in Mexico and Central America near the coastal regions of the Caribbean Sea. Their song is described as a grasshoppery, buzzy, breathing in, then out, coming in two parts.

This is just a sampling of the beauty that passed through the open areas of Newton (and one neighborhood in Cambridge) this spring. The Orioles, Tanagers and Grosbeaks are still around, raising their young. Give yourself some time to stroll through the parks of Newton to enjoy the natural beauty around you. The open spaces in Newton are described on our website: <http://www.newtonconservators.org>.

- **Lanny McDowell's photos can be found at:** [www.lannymcdowellart.com/](http://www.lannymcdowellart.com/)
- **Brooks Matthewson's photos can be found at:** [www.avianartimages.com](http://www.avianartimages.com)
- **Justin Lawson's photos can be found at:** [www.flickr.com/photos/justinlawson/](http://www.flickr.com/photos/justinlawson/) ■

🌿 *Pete Gilmore*



*Baltimore Oriole*



# “Eh... What’s Up, Doc?”

As Elmer Fudd often said, “wascawwy wabbit!” The “wabbits” have become a nuisance to many gardeners in Newton. Last summer rabbits ate perennials in my garden. I’m sure they would have eaten my annuals and vegetables too, if I had any. Their favorite food was lance-leaf hosta, *Hosta lancifolia*. This hosta leaf is long, narrow and bright green. The rabbit’s closest choice if it really wanted lettuce. The hostas were eaten to the ground. Even large clumps of lance-leaf hosta disappeared completely. **Good news:** this spring the lance-leaf hosta came back from the root. They ate my *Epimedium x youngianum* and my Japanese ferns. They chewed through the brown-eyed Susan, *Rudbeckia fulgida*, stems resulting in no blooms. It is disheartening to see so much damage in your garden.



This winter the rabbits became even more destructive. Snow covered the garden for most of the winter, so the rabbits browsed the bark off young saplings and chewed off the tips of shrub twigs. The rabbits ate about one hundred square feet of wintercreeper, *Euonymus fortunei*, leaves in our front yard. I was told that it is poisonous to rabbits, but they ate it anyway. My husband and I never knew there were attractive rock formations hidden under this winter creeper. It was so decimated that we decided to remove all of it this spring. That’s what you call making lemonade out of lemons. You can tell if a rabbit ate your shrubs. They leave a sharply cut edge, while deer leave a more ragged edge.

Many shrubs were damaged, some beyond repair: dwarf fothergilla, *Fothergilla gardenia*; spicebush, *Lindera benzoin*; hazelnut, *Corylus americana*; and *Clethra alnifolia* were all eaten to rabbit height. Tiny stems with leaves are beginning to pop up now from the roots for the fothergilla, spicebush and hazelnut. The *Clethra alnifolia* is leafing out along the chewed stems. The shadbush, *Amelanchier canadensis*, was badly eaten before we wrapped the trunks with wire. All of the stems that were badly chewed, died.

We purchased new spicebush and placed them between the surviving barren stems. Perhaps the old shrubs will fill in around the newer ones.

Anyway, enough complaining. What are we going to do about the rabbits? Instead of enjoying the cute bunnies in the garden, we have re-classified them as an invading enemy. One way to discourage rabbits is to induce a sense of fear in them. Rabbit repellent products do this because of their unique smell.

I bought Deer Scram at a local garden center ([www.deerscam.com](http://www.deerscam.com)). It’s expensive but cheaper than buying replacement perennials and shrubs. Its organic ingredients are advertised to work for both deer and rabbits. I spread it around perennials and ferns the rabbits ate last year.

I also spread Deer Scram around my screened porch. Rabbits have been living under my screened porch for several years. Enough! I don’t want them anymore. We used to have a mother skunk and her little ones under this porch. I’d rather have them back.

Another organic product called Plantskydd Repellent is advertised. It even works on moose. Maybe that will be our next garden plague. You can read more about it at [www.plantskydd.com](http://www.plantskydd.com).

The rabbits breed “like rabbits”; often producing four to eight litters a year. About fifteen rabbits survive each year from a mating pair. They are part of nature’s food chain. I don’t remember ever seeing so many rabbits in Newton. I remember a day when our neighborhood didn’t even have chipmunks. Now we are seeing many other animals in our yard. I saw a woodchuck walking down our backyard garden path. I’m glad he didn’t decide to stay permanently. I wonder if, once an animal is here, will they always be here, or will the population disappear again. That may be wishful thinking.



*Hosta Lancifolia*

Rabbits typically feed at dawn and dusk. When they sense danger they freeze and hope to escape notice. If the danger moves toward them, they flee. They can flee at a rate of 18 miles an hour, too fast for my toy poodle to catch them, though she never gives up hope.

When we noticed the damage during this winter, my husband went out to purchase ¼” wire hardware cloth (we past hamster breeders call this hamster wire). We should have

used it sooner to protect more shrubs. This fall we will wrap all of our young tender shrubs. It will be a hamster-wire sculpture garden. These wire circles should be spaced one or two inches away from the bark and be tall enough to keep the rabbit out, about 20" high. It might be best to bury them in the ground a bit, but that would be an awful lot of work.

Another option is to grow plants that rabbits don't like such as lilac, rhododendron, mountain laurel and tulip tree. They supposedly do not like cotoneaster but they ate mine anyway. The only one they didn't eat was *Cotoneaster salicifolia repens*. They ate everything near it but didn't touch it. I'll buy more.

I'm glad to hear they do not like foam flower, Lamb's ear, peony, Russian sage and sedum 'Autumn Joy,' but I would

hate to stop planting a larger variety of plants just because of the rabbits. The squirrels ate the hundreds of crocus I planted over the years, so now I just stick to grape hyacinths; thank goodness rabbits don't like them either.

I am an animal lover and would find it difficult to actually eat a rabbit, but lately my husband has had fun teasing me, encouraging me to look up rabbit recipes. Allrecipes.com had a few: Braised Rabbit with Mushroom Sauce, Herb and Beer Braised Rabbit, Rabbit Stew, Slow Roasted Rabbit, and my favorite Lickin' Good Rabbit. Take that, you wascawwy wabbit! ■

✿ Beth Schroeder

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## Mysteries of Cold Spring Park

**"Defending Jacob"**<sup>1</sup> is not the only mystery involving the sociology of Newton and the ecology of Cold Spring Park.

Cold Spring Park was once known as Alcock's Swamp<sup>2</sup> and is open space today partly because of the 1633 decree of the Great and General Court of Massachusetts that wetlands over 100 acres were to be held in common.<sup>3</sup> Nevertheless, much of it became private property, which the city gradually bought back, obtained as a gift, or took for taxes.<sup>4</sup>

The Cochituate Aqueduct, which runs along the east side of the park, was built 1846–48, egg-shaped with 8" brick walls, to bring water from Lake Cochituate to the Chestnut Hill Reservoir via a pumping station on Quinobequin Road. It was abandoned in the 1930s and the Newton section was bought by the City and converted into a sewer, which joins a trunk line in Nonantum. The Sudbury Aqueduct, more substantially built and horseshoe shaped, extends from Farm Pond in Framingham over Echo Bridge and parallels the Cochituate Aqueduct to where they nearly meet near the northeast corner of the park in Four Corners.<sup>4</sup>

The aqueducts, the installation of the drain, and the channeling of a portion of Cold Spring Brook subsequent

to the completion of Commonwealth Ave. changed the ecology of the swamp so that in 1907, Charles J. Maynard, a noted Newton naturalist and ornithologist,<sup>5,6</sup> lamented the disappearance of the white cedars, the black crowned night heron and the long-eared owl.<sup>4</sup>

Around 1916, Atlas Film Studios acquired much of Old Cold Spring Park, built a studio near the end of Alden St. (now 35–41 Chatham Rd.) and produced mainly westerns but also *The Place of the Honeymoons* in 1920.<sup>7</sup> One of their producers, Frank Howard, became a minor mogul in the film industry, opened the first movie theatre in Boston, and began the Boston Film Exchange.<sup>8,9</sup> Atlas Films employed locals as extras, including eventual Recreation Commission member and mayor (1954–59) Howard Whitmore.<sup>10</sup>

By the late 1920s, the existence of a 100-acre swamp in the middle of Newton, even with a saturated solution of mud 5 to

54 feet thick, covered almost entirely with peat and heavily wooded in parts with swamp maples, tempted development. The swamp was ditched and the water drained into the brook, which was rechanneled, partly culverted and lowered five feet, causing the playfields between the Aqueduct and Kingston Road to emerge.<sup>4</sup>



Cold Spring Coat of Arms

*Continued to page 14*





Helen King, Extra for Atlas Film Corp.

Cold Spring Park began in 1930, when Playground Commissioner Ernst Herman purchased 21.6 acres in Cold Spring Swamp. Hermann expected that: "The swamp can easily be drained and turned into a large playing field. A number of small hills can be razed and will probably furnish most of the fill, which is needed to create other needed playing fields. Many of the existing trees can be saved, and with judicious planting a fine park can be created."<sup>11</sup> In 1939, the

Pillon property was added to Cold Spring Playground as the entrance on Dunklee Rd.<sup>12</sup>

One of the surviving mysteries, probably from the 1930s, is the dam and embankment that can be seen on the east side of the exercise path, which was apparently made to form a skating pond. This curiously bears the more recently painted inscription: "This is to inform you that I did not die young." No doubt by somebody who is not now so young.

Another mystery is how the Cardinal's Coat of Arms arrived in Cold Spring Park. Boston's Cardinal William Henry O'Connell's was elevated to that rank in 1911 and reputedly had an ego only minutely smaller than St. Peter's Basilica. A number of his coats of arms carved in stone grace what is now the Lake Street campus of Boston College. Possibly he distributed others on buildings throughout his archdiocese, but how did this large cement one end up near a small path off the side trail to Beaconwood Road? If you bushwhack back to the edge of the swamp and inspect this version of his coat of arms, you may note that it is inscribed not with the usual three O'Connell shamrocks, but with three fleur-de-lis. Was this a defective coat of arms that the Cardinal had cast into the dump of Cold Spring Swamp?

In 1962, the Recreation Commission moved to acquire land adjacent to Cold Spring Playground for a municipal golf course and an ice-skating rink.<sup>13-15</sup> In 1967, the Commission recommended that vacant land adjacent to Cold Spring playground be purchased for the golf course.<sup>16</sup> In 1969, the Commission also requested that the Cold Spring parcels be transferred from the designation of "Park" to that of "Park and Recreation" and from City land to "Park and Recreation",<sup>17</sup> thereby putting the area under the control of the Recreation Commission instead of the Park Commission. The last parcels were added in 1971, when

a section east of the Beacon St. entrance was transferred from the School Committee along with undesignated land from the City.<sup>18</sup> However, it remains a mystery whether the wetlands on Beethoven Road adjacent to the Zervas School belong to the Park or to the School Committee (probably the latter.)

Following requests by the Newton Community Development Foundation to utilize parts of Cold Spring Park, Hunnewell Park, and the Stearns School playground for housing in 1970,<sup>19</sup> the Commission opposed using any of Cold Spring Park for housing.<sup>20</sup>

An unusual death occurred in Cold Spring Playground in 1976 when a young man somehow fell out of a tree and ruptured his aorta.<sup>21</sup>

A development plan for Cold Spring was proposed in 1979, which included a new entrance on Beacon Street, renovation of two existing softball diamonds, the construction of a third softball field, one regulation and at least two youth soccer fields, and six tennis courts.<sup>22</sup> The estimated cost was \$500,000, which was provided by a bond issue with reimbursement of half of that amount supplied by federal funds.<sup>23</sup> This development constituted "New Cold Spring Park," where the Farmers Market began on July 8, 1980.<sup>24</sup>

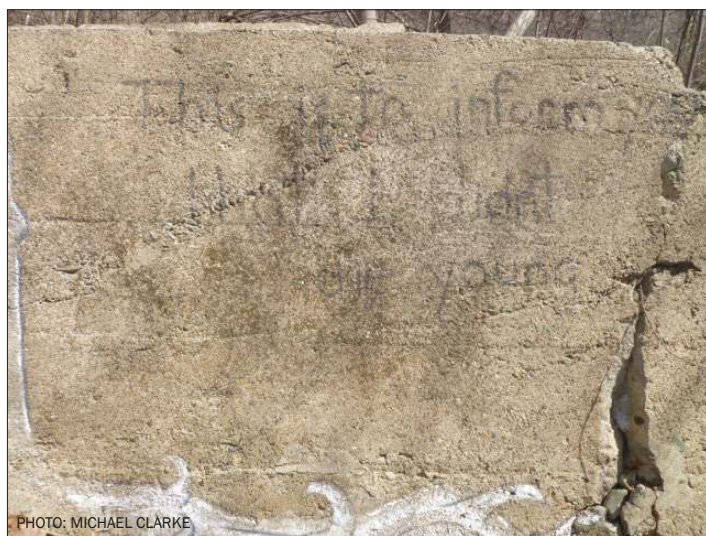


PHOTO: MICHAEL CLARKE

*This is to inform you that I did not die young*

The exercise life course in Cold Spring Park was named in honor of a Savannah Georgia police officer, Leonard Adelman, who was raised in Newton in a home adjacent to the park and who was killed in the line of duty.<sup>25</sup> Officer Adelman's parents paid for the signage.<sup>25</sup>

In response to a 1993 request by Newton Youth Soccer, the Commission agreed with open-space advocates, who



felt that Old Cold Spring Park (Dunklee Road) should be reserved for passive recreation but did allow soccer in New Cold Spring Park.<sup>26,27</sup>

In 1995, the City considered taking parklands, particularly in Cold Spring Park, for a new middle school, which was needed in the same area where the Warren Jr. High had just been closed. Following strong objections from the Parks and Recreation Commission,<sup>28</sup> the Newton Conservators, and other open-space advocates, criteria for transferring parklands were developed by the Commission,<sup>28</sup> and the site was shifted to the Oak Hill School in south Newton.

Because of the continuing controversy arising from the 2009 designation of a field in Old Cold Spring Park as the city's first off-leash dog park, the Parks and Recreation Commission hired Jason Roberts as its first "Off-Leash Recreation Specialist," which means he can politely cow canine cohorts but not yet issue citations.

Cold Spring Park entered literature when a mystery novel, *Defending Jacob* by local author William Landay sited a child's murder within both the park and the milieu of Newton's suburban culture and was published last year.<sup>1</sup>

So, the next time you walk around Cold Spring Park, reflect on silent films, the Cardinal's vanity, the long-eared owl, recreational politics, the dammed ditches, altered ecologies and hope that you do not die young. ■

Michael Clark

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### List of Figures

1. Helen (Sheehan) King of 6 Seldon St. as an extra standing in front of the Atlas Film Corp. studio building around 1922-23, when she was about 16.
2. "This is to inform you that I did not die young" inscribed on the dam near the exercise path on the east side of Cold Spring Park.
3. Cardinal O'Connell's Coat of Arms in Cold Spring Park.



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# NEWSLETTER

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**Cardinal fledgling waiting for mom!**

*Photo by Beth Wilkinson*

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