



Working to preserve open space in Newton for 42 years!

the Newton Conservators

NEWSLETTER

Holiday Issue

www.newtonconservators.org

November/December 2002

CITY WETLANDS AND CONSERVATION LAND DAMAGED BY HOMEOWNERS

People whose houses border Newton's conservation areas are fortunate indeed. The beautiful woods beyond their back yards can seem like a private nature preserve and they are assured that it will be forever protected from development, thanks to Conservation Commission stewardship.

Protected, that is, unless the neighbors who abut these publicly-owned properties decide to make a few "adjustments," such as extending their lawns, filling fragile wetlands, or cutting down trees for a better view, not only on their properties but also on city-owned conservation areas.

In recent months, a number of homeowners have been caught encroaching on city land at Hahn Brook, Flowed Meadow, Cold Spring Park, and other areas. Homeowners are also violating wetlands rules on their own property.

(Continued on page 2)

PRESIDENT'S LETTER

By Lucy Caldwell-Stair

Enclosed with this month's newsletter, many of you will find a membership renewal notice. We hope you will do TWO things with this notice.

First, if you have not already paid your membership dues for 2002, please take advantage of this reminder to renew your support—it's not too late.

Second, as you consider what organizations you would like to support with end-of-year charitable contributions, think about making an extra gift to the Newton Conservators. Many members choose to give more than the amount of their annual dues, knowing they are supporting a local advocacy group that is working to preserve the things that make Newton a terrific community in which to live. If you did not receive a renewal notice with this Newsletter, use the form on page x to make your contribution.

(Continued on page 3)

Newton Conservators Lecture Series

Don't Miss Geologist

ROBERT THORSON

University of Connecticut

Speaking about his new book

“STONE BY STONE:

***The Magnificent History in New
England's Stone Walls”***

Tuesday, November 19, 2002

7:00 to 9:00 PM

Druker Auditorium, Newton Free Library

"People are destroying wetlands and annexing open spaces for private yard use," says Conservation Commission member Eric Reenstierna. He says the Commission can use aerial photographs to spot illegal activity in conservation areas.

In recent months, a number of homeowners have been caught encroaching on city land at Hahn Brook, Flowed Meadow, Cold Spring Park, and other areas. Homeowners are also violating wetlands rules on their own property.

One of the more severe incidents is on Staniford Street along Flowed Meadow on the north side of Newton. The owner of a deep, 20,000 square-foot lot damaged wetlands on his property in violation of the 100-foot buffer zone protected by state law. He also cleared adjoining wetlands in Flowed Meadow Conservation Area, terracing a slope and putting in a suburban-type garden, affecting over 3,450 square feet of city land and 5,400 square feet of wetlands. The property is now undergoing extensive restorations, paid for by the owner and supervised by the Conservation Commission.

An enforcement case can go on for months. "It takes hours and hours to resolve," says Martha Aherin Horn, senior environmental planner with the Conservation Commission. She says cases pull staff away from other pressing conservation management tasks.

On Louise Road, a homeowner cut down five mature trees within the buffer zone of Hahn Brook and was about to plant a lawn on 1,300 square-feet of cleared area. The city contends the land is inside Hahn Brook Conservation Area and the property owners have been asked to replant the destroyed trees with saplings.

Other incidents pertain to building decks without permits in backyards within floodplain areas, where houses are prone to basement flooding. Homeowners are usually allowed by the Conservation Commission to build decks, provided they create compensatory storage areas, that is basins in the yard where water can sit temporarily during a storm instead of flowing elsewhere. So far, the Conservation Commission's response is to "work with" offenders, says Reenstierna. "We haven't imposed fines yet, however we do require that a land owner who is discovered encroaching on

WETLANDS GUIDELINES

What the law says: It is illegal to fill, excavate, or cut vegetation on wetlands, on land in the 100-foot buffer zone, or on city-owned land. The general rule for wetlands is no alteration. Disturbing the soil causes erosion, dumping grass clippings, brush and leaves smother plants, and clearing natural vegetation changes the ecology of the area.

Why protect wetlands? Wetlands are valuable to wildlife and they improve the quality of surface and groundwater.

Is your property in a wetland? Most homeowners know wetlands are on their property because their insurance requires a floodplain provision.

If your property is in a wetland area or abuts a conservation area and you want to build a fence, deck, addition or make an alteration of any kind, including landscape changes, get advice first from Martha Horn, Conservation Commission, at 617-796-1120.

To report violations: Call Martha Horne, anonymously if you wish, at 617-796-1120.

protected wetlands or city property hire an expert, present a plan to restore the land, and pay for the restoration."

"It's a lot less expensive if you do it in the right order," says Horn. "Some of the wetlands rules may seem onerous, but it's faster to take care of it with a few questions up front," she says.

Last May, the Conservation Commission submitted a draft ordinance to the Board of Alderman that would allow the city to ticket people for disturbing wetlands. "It would make it easier, instead of going directly to a criminal case, to give the city a chance to nudge the offenders," says Linda Finucane, who works for the Board of Aldermen. Neither the Zoning and Planning Committee nor Finance Committee has yet reviewed the bill.

Lucy Caldwell-Stair

President's Letter, continued from page 1

Speaking of gift giving, Newton Conservators memberships make wonderful holiday presents for family, friends and neighbors. If you know someone with whom you would like to share your interest in open space and community preservation, this can be a very meaningful gift. Look for a special form on page x.

Note that you will not receive a separate notice of membership renewal this year, as has been our practice in the past. To save postage expense, the Newton Conservators Board of Directors decided to try using the Newsletter as a way to remind members of the need to renew. If this approach works, that will free up several hundred dollars to be shifted from administrative costs to program priorities.

As always, we greatly appreciate your support of the Newton Conservators—your contributions keep us on track as we pursue our mission amid the ever greater challenges of development and homeowner encroachment on Newton's open spaces.

To all of you, we wish a peaceful and preservation-minded holiday season!



Great Blue Heron on Crystal Lake—photo by Carol Stapleton

Conservators File CPA Application

The Newton Conservators filed the first application proposing expenditure of CPA funds for acquisition of open space. The application was filed jointly with the Conservation Commission.

Spearheaded by Eric Reenstierna, Vice President of the Conservators and a member of the Conservation Commission, the proposal would acquire for the city about 30,000 square feet of land adjacent to Cohen Conservation Area. This triangular property is wooded and contains a portion of Thompsonville Brook and associated wetlands. It has been on the city's Open Space Plan as a target for acquisition for at least 20 years.

This was one of 21 applications filed by the November 1st deadline set by the Community Preservation Committee for first-round consideration. The Committee will meet on Wednesday, November 20 (7:30 PM in the City Hall cafeteria) to determine which proposals are complete and appropriate. Those that are complete and appropriate for funding under the state law will then go to public hearing (see article next page).

CPA allows expenditures for open space, recreation, historic preservation and community housing. Ten percent of each year's funds must be earmarked for open space acquisition and preservation, though more than this amount can be allocated, depending on each community's priorities.

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. Digitized photographs, maps and diagrams are also welcome.

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Production: Bonnie Carter 617-969-0686

Thanks to the following contributors to this edition of the Newsletter: Lucy Caldwell-Stair, Doug Dickson, Martha Aherin Horn, Ted Kuklinski. Thanks also to Douglas Leith for his excellent proofreading services.



CPC TO HOLD HEARINGS

The Community Preservation Committee has set two dates in December for public hearings on proposals for expenditure of CPA funds:

Monday, December 9, 2002 at 7:30 PM

Wednesday, December 11, 2002 at 7:30 PM

Both hearings will be held in the Aldermanic Chamber at Newton City Hall.

The CPC will meet on Wednesday, November 20 at 7:30 PM in the City Hall cafeteria to review 21 applications that were filed by the November 1 deadline for first-round funding consideration. Proposals that are complete and appropriate for funding, as defined by state law, will go to public hearing. The purpose of the hearing is to give proponents and any other community member an opportunity to speak on the proposals.

Applications were filed in each of the CPA funding categories, including open space, recreation, historic preservation and community housing.

The city has so far accumulated over \$4.8 million in CPA funds. This includes \$1,585,478 million raised through the 1% real estate tax surcharge in fiscal year 2002, the same amount from the 100% match from the state CPA fund, and an estimated \$1,762, 802 that is being collected through the surcharge in the current fiscal year.

Earlier this month, the Board of Aldermen, at the request of the Community Preservation Committee, voted to place CPA funds into four reserve accounts, a technical move that preserves access to those funds if needed to cover the cost of proposals recommended for action. The Board of Alderman must approve all projects recommended by the CPC.

An Ad Hoc Committee on Community Preservation, chaired by Alderman Amy Mah Sangiolo, will review all CPC recommendations for the Board of Aldermen to determine what action should be taken by the full Board. Recommendations will then be reviewed by the Finance Committee and, finally, the full Board of Aldermen.

The public hearings held by CPC are expected to serve the information needs of the Ad Hoc Committee and full Board, as well as the CPC.

Doug Dickson

Construction Updates

Houghton Garden

Construction has begun at Houghton Garden at last! Emanouil Brothers of Chelmsford will be repairing the dam, replacing the west bridge with a stone bridge that matches the adjacent bridge, re-setting stepping stones, clearing overgrown vegetation, installing a handicapped accessible pathway and bench and installing approximately 200 feet of black steel picket fencing. Additional fencing will be installed once funding is secured.

The work will take two to three months and the garden must be closed to the public during that time as footing is very dangerous. We look forward to an opening ceremony in the spring when the garden is in full bloom!

Martha Aherin Horn

Hammond Pond

The initial Hammond Pond project meeting has been held with representatives of S.R. Weiner & Associates, the management firm at the Chestnut Hill Mall and Shopping Center. We are in the process of making up a timeline for the proposed work and they are researching zoning and deeds for parking lot requirements.

Next step will be to enter into a legal agreement between the city and S.R. Weiner, then to contract with the Department of Environmental Protection. Following completion of these legalities, the city will go out to bid for engineering design, followed by construction bidding and the actual work next summer after waterfowl nesting season is over.

Martha Aherin Horn



Fawns in Deer Park

Photo by Carol Stapleton

Birds of Newton, Past and Present

by Charles Johnson Maynard

Note: This article is excerpted from *The Mirror of Newton Past and Present*, published by the Newton Federation of Women's Clubs in 1907. Thanks to Susan Abele, curator at the Jackson Homestead Museum, and Ted Kuklinski for making this article available.

The number of birds in any section of country must be regulated by two factors; first and chiefly by the food supply; second, to a less degree, and often supplementary to the first, by the facilities afforded for nesting. Birds vary greatly as to the food they require, and the environment they prefer for nesting, and regions which are most varied in their production of bird food and in their offering of suitable nesting places will naturally have the largest number of avian species. Such a section was once found here in Newton.

Let us for a few moments turn back the leaves of the book which Time is ever writing, and glance at the Newton of forty years ago—at the woodlands, fields, and streams as they were—and listen to the voices of the birds which lived here then. I will take as an example the environment of my own home as a type of many places in our town. Below the house was a pretty brook, that in summer wound in and out among luxuriant grasses, the home of rails and bitterns, where the red-wings delighted to build their cup-shaped nests. Here, too, in places, tangled thickets of wild roses, alders, and ilex overarched the stream; in these secure hiding-places lived swamp sparrows, and now and then a short-billed marsh wren came to them and built his nest in the neighboring sedges. They were also the chosen home of the northern yellow-throat. Willows grew beside the stream in detached clumps, or in long rows. To them came hosts of migrating warblers when on their way north in spring, to glean among the growing leaves. Here I always went to find Wilson's blackcap. Later, in early July, the goldfinches nested in these willows.

Above the brook was an old orchard, and in the cavities of the huge limbs of the apple-trees bluebirds and flickers found homes. When these trees were covered with pink-tinted blossoms, they were also visited by many warblers. Here I found the rare Tennessee warbler, and as for blackpolls, they came by scores; sometimes during favorable

years, great waves of a number of species of other warblers would sweep across these apple trees. I remember once seeing them fairly covered with Canadian warblers. Orchard orioles sometimes came here to nest. In the higher meadows, near the house, meadow larks and bobolinks nested and sang all through the June weather. On a cedar-covered hill behind the house a number of pairs of purple finches built in the slender, swaying tops of the cedars, and I could hear them singing every day as I sat at work in my laboratory. In the barberry bushes that skirted the old stone walls nested yellow warblers and chipping sparrows in abundance. Song, vesper, and field sparrows we had galore; indigo birds were common, and of course Baltimore orioles hung their swinging nests from the branches of all the tall trees about us.

Some of these birds are with us now, but they are few, for many changes have taken place. The meadow is drained and the waving sedges have gone. The beautiful brook has been straightened into a ditch, and most of the willows have been cut down. The cedar hill is now an unsightly gravel pit. The golfer rolls his ball where once the meadow lark and bobolink sang. The old orchard has nearly gone, and few or no migrating warblers visit the few trees that remain; in short, the place has been made a desert for the birds, and as such possesses no attractions for them. There are many such deserts to-day in our city which were once the chosen resorts of many species of birds.

Cold Spring Swamp, near the Newton Cemetery, once the home of hundreds of black-crowned night herons, and of an occasional long-eared owl, has been drained, and most of the white cedars in which the herons built their nests so many years have been cut down. Cabot Woods, formerly a famous place for birds, has had the undergrowth removed and is constantly being burned over, destroying the carpet of dead leaves in which ovenbirds, towhees and brown thrashers used to nest. West Newton Hill, which I remember as a great forest, is now nearly covered with houses, and what has long been the wildest part of Newton, the region about Oak Hill, is gradually being cleared of wood. Can we wonder that we are losing out birds?

I do not think I am overstating the matter when I say that, taken all in all, we have not more than one pair of birds nesting in Newton now where we had

(Continued on page 6)

Birds of Newton, continued from page 5

fifty pairs forty years ago. What is the remedy for this depletion? Briefly, let me say first, to those who have private grounds and want wild birds—and who does not?—plant *native* shrubbery, barberries, privet, and similar close-growing shrubs, and let them close together without trimming. Do not remove undergrowth from woodlands, and above all, do not allow fire to consume the fallen leaves; let them lie. Public parks should have whole sections left perfectly wild for the birds, without trimming, or without underbrush or fallen leaves being removed. Trees in such parks should not be sprayed (poisons so used are an injury to the birds), but gypsy and brown-tails should be removed by hand. The time has come for us to make an effort to keep what birds remain; let us make that effort earnestly.

Summary of Birds Found in Newton

I have found in all about 184 species; 70 of these have bred in the city, but 11 now longer do so; 14 are residents through the years; we have 7 regular winter visitors and 9 that come to us irregularly at this season; 27 are migrants in spring and fall; 63 are either of accidental occurrence, or are found very irregularly, or have ceased coming at all for various reasons.

To learn more about Charles Johnson Maynard, the study of ornithology and the naturalist movement in the 19th and 20th centuries, visit the Jackson Homestead (527 Washington Street) and view the exhibit Walks and Talks with Nature, Newton's Naturalist. Thanks to Susan Abele, Curator, for providing the above material by C.J. Maynard.

Newton Christmas Bird Count – December 15

If you have an interest in our feathered friends, perhaps you'd like to take part in the annual Christmas Bird Count on Sunday, December 15, 2002. Begun in 1900 and done all over the country by teams of birders, the local counts are done within a specified circular area. Parts of Newton are within the count circle centered on Boston.

Participants usually gather at the home of Conservators member Chris Criscitiello (the leader

of our Biodiversity Days bird walk last June) near Cold Spring Park for coffee and to pick up maps. Beginning around 7:00 AM, about five teams fan out all over Newton to count as many birds of all types as they can, especially in conservation, park, and cemetery areas. Any woody areas near water are usually quite productive. Larger open space areas are the focus in the morning, with smaller pocket areas and residential neighborhoods checked later in the day as time permits.

For the truly intrepid, there is also an owling party which heads out at around 3:00 AM. Typically, they get great looks at as many as half a dozen screech owls and occasionally Great Horned and Barred Owls.

Any birds seen during the count are recorded as to the species and the number of individuals. The amount of hours and distance traveled by count participants are also recorded (which helps to normalize results to the effort expended). Changes in numbers of our most common birds over the years help to spot environmental trends. Over the history of the count in Newton, over 90 species have been tabulated.

Representative members from the teams gather back at the meeting place around 4:00 PM to pool the results from Newton. It's always exciting to hear what the other groups have found, especially any rare or unusual sightings. Later, our local results are taken over to Mass Audubon's Habitat in Belmont, where other town coordinators gather to pool the data for the entire Boston count circle. Consider that this same process is done all over the country in roughly the same time period, and it helps to get a handle on the bigger environmental picture.

Experienced and non-experienced birders are welcome. Newcomers will be paired with an experienced group. Even if you would like to participate for only a few hours, you are welcome.

For more information, please contact Ted Kuklinski (dolanpond@aol.com, 617-969-6222). You can even contribute to the effort from your own backyard this year by providing counts of the types of birds that visit your feeder on Sunday, December 15. By 3:00 PM, simply send an email or phone the above number to leave a message with a list of types and number of birds and period of observation.

Ted Kuklinski

Addition to City Website

There has been an exciting new addition to the City of Newton's website (www.ci.newton.ma.us) at the initiative of Parks and Recreation wildlife enthusiast, Carol Stapleton. Visit the new photo page "Wildlife from around the City" by scrolling down the city's home page and clicking the swan photograph or go there directly at <http://www.ci.newton.ma.us/parks/wildlife.htm>.

You can see a nice collection of photos Carol has taken over the years, including an unusual "to be identified" hummingbird. If you would like to contribute your own wildlife photography (preferably in jpg format) please contact Carol at cstapleton@ci.newton.ma.us.

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.

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 glasgow@world.std.com.

EVENTS CALENDAR

Monday, November 18, 7:30 PM
Room 209, Newton City Hall
Parks and Recreation Commission Meeting

Tuesday, November 19, 7:00 PM
Druker Auditorium, Newton Free Library
ROBERT THORSON, Geologist
"STONE BY STONE: The Magnificent History in New England's Stone Walls"
Newton Conservators Fall Lecture

Wednesday, November 20, 7:30 PM
Cafeteria, Newton City Hall
Community Preservation Committee Meeting

Wednesday, November 27, 7:30 PM
Room 202, Newton City Hall
Newton Conservators Board Meeting

Thursday, November 28, 7:30 PM
Room 209, Newton City Hall
Conservation Commission Meeting

Monday, December 9, 7:30 PM
Aldermanic Chamber, Newton City Hall
Community Preservation Committee Public Hearing

Wednesday, December 11, 7:30 PM
Aldermanic Chamber, Newton City Hall
Community Preservation Committee Public Hearing

Monday, December 16, 7:30 PM
Room 209, Newton City Hall
Parks and Recreation Commission Meeting

Wednesday, December 18, 7:30 PM
Cafeteria, Newton City Hall
Community Preservation Committee Meeting

NO Newton Conservators Board Meeting
in December

Thursday, December 19, 7:30 PM
Room 209, Newton City Hall
Conservation Commission Meeting

GIVE A NEWTON CONSERVATORS MEMBERSHIP FOR THE HOLIDAYS

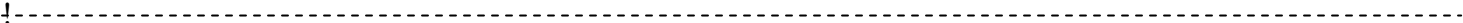
Please send a Newton Conservators gift membership (\$25.00) to:

Name _____

Address _____

Phone _____ E-mail _____

Please send a card to the recipient acknowledging my gift.



**If you haven't paid your membership dues for 2002, 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

- 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.**

November/December 2002 Newsletter



the Newton Conservators **NEWSLETTER**

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Are you all paid up?

RENEW YOUR 2002 MEMBERSHIP and give another to a friend!



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