

CONSERVATION COMMISSION AGENDA

Date: Thursday, September 7, 2023

Time: 7:00pm

Place: This meeting will be held as a virtual meeting via Zoom.

This will be a virtual meeting via Zoom. No in-person meeting will take place at City Hall.

Click here to join by Zoom: <https://newtonma.gov.zoom.us/j/86397981886>

Contact jsteel@newtonma.gov or 617-796-1134 with any questions.

NOTE: Packet, plans, and narratives are available on [the Commission's website](#).

NOTE: Times listed are estimates. Items may be taken out of order at the Chair's discretion. Discussion may be limited by the Chair.

UPDATES

A. CONSERVATION AREA UPDATES

1. (7:00) Webster Woods -- informational presentation and discussion

- Owner/Applicant. City of Newton (due to be Conservation Commission)
- Representatives. Andrew Lee (Law Department)

DECISIONS

B. WETLANDS DECISIONS

2. (7:20) Newton Conservation Areas -- OOC Extension – trails OOC -- DEP #239-708

- Owner/Applicant. Newton Con Com and Newton Parks Recreation & Culture Department
- Representatives. Jennifer Steel, Conservation Staff

3. (7:30) 288 Mill St – OOC Extension Request – additions, walls, plantings – DEP #239-0888

- Owner/Applicant. Erik Nedeau
- Representatives. Self

4. (7:35) 149 Pleasant St – OOC Extension Request – Solar canopy over Mason Rice School Parking Lot – DEP File #239-844

- Owner/Applicant. City of Newton, Public Buildings Department
- Representatives. Bill Ferguson

5. (7:40) 145 Warren St – OOC Extension Request – Renovations to existing SFH and construction of 4 new units -- DEP #239-0882

- Owner/Applicant. David Oliveiri, Civico Development
- Representatives. Michael Pace, Sustainable Comfort

6. (7:45) 56 Greenwood St – landscaping and utilities for a SFH – COC Request -- DEP #239-0882

- Owner/Applicant. Gene Spivak
- Representatives. None

7. (7:55) 148 Pine Street – COC Request – demo of existing duplex, construction of 3 single-family homes – DEP File #239-856

- Owner/Applicant. Vincent Mastroianni
- Representatives. None

8. (8:00) 16 Grace – COC Request – tear down rebuild SFH – DEP File #239-837

- Owner/Applicant. Craig Halajian
- Representatives. None

9. 8:05) 5 Wyoming St – Work Never Initiated COC Request – Addition to existing SFH – DEP File #239-853

- Owner/Applicant. Bill Farnsworth
- Representatives. None

C. CONSERVATION AREA DECISIONS

D. ADMINISTRATIVE DECISIONS

E. ISSUES AROUND TOWN DECISIONS

UPDATES / DISCUSSION

F. WETLANDS

G. CONSERVATION AREAS



Mayor

Ruthanne Fuller

Director

Planning &

Development

Barney Heath

Chief

Environmental

Planner

Jennifer Steel

Assistant

Environmental

Planner

Ellen Menounos

Conservation

Commission

Members

Kathy Cade

Dan Green

Judy Hepburn

Ellen Katz

Susan Lunin

Jeff Zabel

Leigh Gilligan

Associate

Member

Sonya McKnight

Contact

Information

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Reasonable accommodations will be provided to persons with disabilities requiring assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA/Sec. 504 Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. For Telecommunications Relay Service, please dial 711 or call City Hall's TTY/TDD line at 617-796-1089.

H. ADMINISTRATIVE MATTERS

I. ISSUES AROUND TOWN

OTHER TOPICS NOT REASONABLY ANTICIPATED BY THE CHAIR 48 HOURS BEFORE THE MEETING
ADJOURN

CONSERVATION COMMISSION AGENDA

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Contact jsteel@newtonma.gov or 617-796-1134 with any questions.

NOTE: In addition to the documents presented in the Commission's packet (available on the Commission's website), full application plans and narratives are available on [the Commission's website](#).

NOTE: Times listed are estimates. Items may be taken out of order at the Chair's discretion. Discussion may be limited by the Chair.

UPDATES

A. CONSERVATION AREA UPDATES

1. (7:00) Webster Woods -- informational presentation and discussion

- Owner/Applicant. City of Newton (due to be Conservation Commission)
- Representatives. Andrew Lee (Law Department)
- Request. Have the Commission receive a summary of the docket item regarding a Confirmatory Deed that corrects the boundaries and area of land taken by eminent domain.
- Project Summary. The eminent domain taking protected all the land at the rear of 300 Hammond Pond Parkway, as intended, but the acreage of that land is less than originally thought.
- Documents in packets. Docket item, survey plan
- Additional documents presented at meeting. Site photos
- Staff Notes.
 - In 2019, the City took the rear portion of 300 Hammond Pond Parkway for conservation purposes. Based on the metes and bounds and survey provided by BC (then the owner), the City thought it was taking 17.4 acres.
 - The City discovered that that survey was incorrect.
 - A new survey corrected the metes and bounds and determined that 14.7 acres were actually taken (2.7 fewer acres than thought).
 - The eminent domain taking protected all the land intended to be protected, but roughly 2.9 acres was DCR land (that was already protected) and roughly 0.2 acres is land associated with the Cohen Conservation Area (also land that was already protected).

DECISIONS

B. WETLANDS DECISIONS

2. (7:20) Newton Conservation Areas -- OOC Extension -- trails OOC -- DEP #239-708

- Owner/Applicant. Newton Conservation Commission and Newton Parks Recreation & Culture Department
- Representatives. Jennifer Steel, Conservation Staff
- Request. Extend the OOC
- Project Summary. This OOC allows for routine trail maintenance and improvement.
- Documents in packets. Special conditions from the OOC.
- Additional documents presented at meeting. none



Mayor
Ruthanne Fuller

**Director
Planning &
Development**
Barney Heath

**Chief
Environmental
Planner**
Jennifer Steel

**Assistant
Environmental
Planner**
Ellen Menounos

**Conservation
Commission
Members**
Kathy Cade
Dan Green
Judy Hepburn
Ellen Katz
Susan Lunin
Jeff Zabel
Leigh Gilligan

**Associate
Member**
Sonya McKnight

**Contact
Information**
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- Staff Notes. Staff think it prudent to extend this OOC since DEP has changed its stance on “generic” OOCs and no longer considers them to be appropriate.
- Staff Recommendation. Vote to approve a 3-year extension.

3. (7:30) 288 Mill St – OOC Extension Request – additions, walls, plantings – DEP #239-0888

- Owner/Applicant. Erik Nedeau
- Representatives. Self
- Request. Extend OOC to allow for installation and survival of the required mitigation plantings
- Project Summary. The addition at the rear of the house was completed by the prior owners, but the mandatory 770 sf mitigation planting and corrective grading at the rear fence line were outstanding.
- Documents in packets. None
- Additional documents presented at meeting. Planting plan, site photos
- Jurisdiction. RFA, BZ
- Staff Notes.
 - At the 7/27/23 meeting the Commission reviewed recent site visit photos. Staff issued a status letter before the property was sold indicating the need for an extension and compliance.
 - The new owner is now requesting an extension and has submitted a preliminary mitigation planting plan that staff is reviewing and revising.
- Staff Recommendation. Vote to issue a 2-year OOC extension.

4. (7:35) 149 Pleasant St – OOC Extension Request – Solar canopy over Mason Rice School Parking Lot – DEP File #239-844

- Owner/Applicant. City of Newton, Public Buildings Department
- Representatives. Bill Ferguson
- Request. Issue 3-yr OOC extension to allow the project to proceed if possible.
- Project Summary. At Mason Rice Elementary, install two solar canopies supported by columns, install new electrical conduits to connect the canopies to the grid with associated trenching, remove 2 trees, plant 29 trees in the adjacent Newton Center Playground area.
- Documents in packets. Site plan
- Additional documents presented at meeting. None
- Jurisdiction. RFA, BZ
- Staff Notes.
 - This site (one site of many canopy installations) has been indefinitely postponed due to contract and labor challenges.
 - The City still hopes to install a solar canopy at this site.
- Staff Recommendation. Vote to issue a 3-year extension.

5. (7:40) 145 Warren St – OOC Extension Request – Renovations to existing SFH and construction of 4 new units -- DEP #239-0882

- Owner/Applicant. David Oliveiri, Civico Development
- Representatives. Michael Pace, Sustainable Comfort
- Request. Issue 3-yr OOC extension
- Project Summary. Expansion of SFH into 5 attached units
- Documents in packets. Highlighted plans
- Additional documents presented at meeting. Site photos
- Jurisdiction. Buffer Zone
- Staff Notes.
 - The applicant recently requested an OOC re-sign. At that time, the staff site visit noted some issues of non-compliance. The property has since been brought into compliance and a condition was added to the re-issued OOC requiring grubbing of the unpermitted stumps, adding 2 native canopy saplings to the planting area, and restoring the soils prior to plant installation.
 - Construction is still underway and none of the required mitigation plantings have been installed
 - The permit is due to expire 2/22/2024.
- Staff Recommendation. Vote to issue 3-yr OOC extension (to allow time for completion of the construction and survival of the mitigation plantings).

6. (7:45) 56 Greenwood St – landscaping and utilities for a SFH – COC Request -- DEP #239-0882

- Owner/Applicant. Gene Spivak

- Representatives. None
- Request. Issue COC
- Project Summary. The house was significantly renovated, a new front walkway was installed, the driveway was reconstructed, and utilities were installed.
- Documents in packets. Comparison of plans
- Additional documents presented at meeting. Site photos
- Jurisdiction. BZ
- Staff Notes.
 - Only the “front right corner” of the property is in Buffer Zone; the rest of the property is outside of Con Com jurisdiction.
 - The OOC will expire in January 2024 (the applicant received one 3-yr extension and the COVID “bump”.)
 - The surveyor’s as-built plan shows hardscape, but not jurisdictional wetland line or plants.
 - The hardscape that was installed does not exactly match hardscape on approved plans.
 - The street tree is no longer there and should, according to the OOC, be replaced.
 - The plans called for 4 “trees” to be replaced – in the front yard is a shrub, not a tree
- Staff Recommendation. The Commissioners should determine whether they wish to impose any requirements prior to issuing a COC.

7. (7:55) 148 Pine Street – COC Request – demolition of existing duplex and construction of 3 single-family homes – DEP File #239-856

- Owner/Applicant. Vincent Mastroianni
- Representatives. None
- Request. Issue COC
- Project Summary. Demolish existing duplex and construct 3 single-family homes
- Documents in packets. Approved plan
- Additional documents presented at meeting. Site photos
- Jurisdiction. Buffer Zone and City Flood Zone
- Staff Notes.
 - Staff has not yet conducted a final site visit.
- Staff Recommendation. Pending the findings of a staff site visit, vote to issue a COC.

8. (8:00) 16 Grace – COC Request – tear down rebuild SFH – DEP File #239-837

- Owner/Applicant. Craig Halajian
- Representatives. None
- Request. Issue COC
- Project Summary. Tear-down/rebuild SFH
- Documents in packets. Site plan
- Additional documents presented at meeting. Site photos
- Jurisdiction. Riverfront Area
- Staff Notes.
 - Only the “front right corner” of the lot (the driveway and some of the front yard) are in ConCom jurisdiction
 - Staff has not yet conducted a final site visit.
- Staff Recommendation. Pending the findings of a staff site visit, vote to issue a COC.

9. (8:05) 5 Wyoming St – Work Never Initiated COC Request – Addition to existing SFH – DEP File #239-853

- Owner/Applicant. Bill Farnsworth
- Representatives. None
- Request. Issue COC
- Project Summary. Addition to existing SFH
- Documents in packets. None
- Additional documents presented at meeting. None
- Jurisdiction. RFA
- Staff Notes.
 - Staff has not yet conducted a final site visit.
- Staff Recommendation. Pending the findings of a staff site visit, vote to issue a COC.

C. CONSERVATION AREA DECISIONS – none at this time

D. ADMINISTRATIVE DECISIONS

10. Minutes to be approved

- Documents in packets. Draft 8/17/2023 minutes
- Vote to approve the 8/17/2023 minutes reviewed by Jeff Zabel
- Volunteer. Who will volunteer to review the 9/7/2023 minutes?

E. ISSUES AROUND TOWN DECISIONS – none at this time

UPDATES / DISCUSSION

F. WETLANDS

G. CONSERVATION AREAS

- Conservation Area Trailhead Signs
 - Issue. New 16" x 24" signs are nearing completion and will be sent for fabrication soon.
 - Documents in packets. Pdf of example sign.

H. ADMINISTRATIVE MATTERS

- The Commission as a resource (rather than a purely bureaucratic body). The Commission tends to focus on reacting to wetland permits; it could strive to become the/a voice of environmental protection and undertake more diverse proactive efforts. Are there Commissioners who would like to take on efforts such as the following?
 - Public outreach, public education materials, and policies, e.g.:
 - Meaningful environmental restoration, e.g., Lasell Pond (Documents in packets. Before and after photos)
 - Norway maples
 - Sprinklers with sensors
 - Rodenticides
 - Flooding
 - Providing project-inspired advocacy-oriented information, e.g.,
 - Artificial turf
 - Dam removal
 - Conservation Area management
 - Environmental restoration
 - Public education (kiosks at Dolan, Norumbega, Houghton)
 - Addressing off-leash dogs and mountain bikes
 - Coordinating with Scouts
- Committee Liaison Updates

I. ISSUES AROUND TOWN – none at this time

OTHER TOPICS NOT REASONABLY ANTICIPATED BY THE CHAIR 48 HOURS BEFORE THE MEETING

ADJOURN



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

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August 25, 2023

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Dear Councilors:

I respectfully submit a docket item to your Honorable Council requesting that the City Council pass the attached Confirmatory Order of Taking for Webster Woods. The original Order of Taking used a metes and bounds description of the portion of the parcel the City took which was based on a survey of the entire parcel done by BC shortly after it purchased the property. That survey stated that the parcel was approximately 25 acres in total.

The City had a new survey prepared in order to set boundary markers and to prepare a Taking Plan to be recorded in the South Middlesex Registry of Deeds. This new survey, done by CHA, revealed errors in the metes and bounds described in the original survey which resulted in the total size of the parcel being overstated by approximately 2 acres. Also attached here is a plan showing the area erroneously included by the original survey versus the CHA survey.

Accordingly, the City has prepared a Confirmatory Order of Taking which will correct the error and accurately reflect the boundary between Webster Woods, BC and the MDC/DRC, as well as the actual acreage of the Webster Woods parcel and BC's remaining lands.

This Confirmatory Order does not affect the City's ownership of Webster Woods nor does the Council's consideration of this Order require action by the Conservation Commission or the Community Preservation Committee.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

RECEIVED
2023 AUG 28 PM 2:29
CITY CLERK
NEWTON, MA 02459

CITY OF NEWTON

IN CITY COUNCIL

[DATE]

CONFIRMATORY ORDER OF TAKING

WHEREAS, on December 24, 2019 the City of Newton recorded an Order of Taking, dated December 2, 2019, at the Middlesex South Registry of Deeds in Book 73890, Page 239, taking a parcel of land constituting a portion of a lot located at 300 Hammond Pond Parkway, Newton, Middlesex County, Massachusetts, and

WHEREAS, the description of the parcel of land taken was discovered to have contained certain errors, and

WHEREAS, the City of Newton has caused a survey to be made of the entire lot at 300 Hammond Pond Parkway, including both the portion of the lot intended to be taken as well as the remainder property not taken, and a "Taking Plan" based on such survey to be created, which "Taking Plan" is identified below, and

WHEREAS, the City of Newton desires to correct the record as to the description of the portion of said lot actually taken and the portion of the lot remaining.

NOW THEREFORE, the City of Newton, in City Council, has duly enacted the following to be hereby recorded as a CONFIRMATORY ORDER OF TAKING solely to correct the record as to the description of the land actually taken by Order of Taking recorded on December 24, 2019 at the Middlesex South Registry of Deeds in Book 73890, Page 239, to wit:

WHEREAS, upon the recommendation of the Conservation Commission, the Community Preservation Committee and Her Honor the Mayor, and in the opinion of the City Council of the City of Newton, the public necessity and convenience require that approximately 14.766 Acres more or less of undeveloped woodlands (the "Parcel"), being a portion of a lot located at 300 Hammond Pond Parkway, Newton, Middlesex County, Massachusetts (SBL 65008 0003) be taken in fee by eminent domain pursuant to Chapter 79 of the General Law as authorized by Chapter 40C, Sec. 8 and Chapter 44B, Sec. 5 (e) of the General Law for open space and conservation purposes; and

WHEREAS, the Parcel being Taken is a portion of the lands conveyed in a deed dated May 20, 2016 from Congregation Mishkan Tefila, a Massachusetts religious corporation, to the Trustees of Boston College, a Massachusetts Institution of Higher Education, recorded with the Middlesex South District Registry of Deeds in Deed Book 67338, Page 386, and said Parent Parcel being shown on a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Park Division, Hammond Pond Parkway, Newton, Plan of Land to be conveyed to Trustees of Congregation Mishkan Tefila, scale 1"=100', date July 22, 1954, Benjamin W. Fink, Director of Park Engineering", said plan being recorded in the Middlesex South District Registry of Deeds August 3, 1954 as Plan # 1254 of 1954; and

WHEREAS, the Parcel being Taken is depicted as the lot & area labeled "Fee Taking" on a plan entitled "Taking Plan of Land", Prepared for the City of Newton, scale: 1"=80', dated: January 20, 2021, Prepared jointly by CHA Consulting Group, Inc. & The City of Newton Engineering Division, said Taking Plan to be recorded at the Middlesex South District Registry of Deeds herewith; and

WHEREAS, the City of Newton authorized and received an independent professional appraisal of the value of the Parcel; and

WHEREAS, the Community Preservation Committee has determined that the acquisition of the Parcel, which borders the Webster Conservation Area and the Hammond Pond Reservation held by the Massachusetts Division of Conservation and Recreation, constitutes acquisition of land for open space purposes; and the City Council hereby approves expenditure of Community Preservation funding for such purpose.

NOW THEREFORE, by vote of the City Council, acting on behalf of the City of Newton under Chapter 79 of the Massachusetts General Laws, it is hereby

ORDERED, that the following described Parcel be and hereby is taken in fee, together with all rights, title and interest in the Parcel.

A certain Parcel of land situated in Newton, County of Middlesex, Commonwealth of Massachusetts, lying on the southerly end of Carlisle Street being shown on a Taking Plan of Land prepared for the City of Newton, prepared by: CHA Consulting Group, Inc. and the City of Newton Engineering Division dated: January 20, 2021, bounded and described as follows:

Beginning at the "Point of Commencement", said point being a drill hole in a triangular shaped stone bound, said bound point is depicted as the historic angle point of former boundary line of the Estate of Edwin S. Webster on Plan Book 230, Plan 15 of 1915 recorded at the Middlesex South District Registry of Deeds, now or formerly land of the City of Newton, said triangular stone bound is located N62°00'27"E forty two and eighty one hundredths (42.81) feet from the northeasterly sideline of Carlisle St., thence;

"To the Point of Beginning";

S62°00'27"W forty two and eighty one hundredths (42.81) feet to an iron pin on the northeasterly sideline of said Carlisle St., said point being the "True Point of Beginning", thence;

S17°31'18"E forty and twenty hundredths (40.20) feet to a drill hole in a stone bound, thence;

Southeasterly along a tangential curve to the left having a radius of one hundred seventy and zero hundredths (170.00) feet through a central angle of 27°45'02", an arc length of eighty two and thirty four hundredths (82.34) feet, and a chord of S31°23'49"E eighty one and fifty four hundredths (81.54) feet to a stone bound, thence;

Southeasterly and northeasterly along a compound curve to the left having a radius of twenty and zero hundredths (20.00) feet through a central angle of 93°11'20", an arc length of thirty

two and fifty three hundredths (32.53) feet, and a chord of N88°08'00"E twenty nine and six hundredths (29.06) feet to a stone bound, thence;

Northeasterly along a reverse curve to the right having a radius of five hundred seventy one and thirty nine hundredths (571.39) feet through a central angle of 31°33'10", an arc length of three hundred fourteen and sixty seven hundredths (314.67) feet, and a chord of N57°18'55"E three hundred ten and seventy hundredths (310.70) feet to an escutcheon pin in a lead plug in a drill hole, thence;

N73°05'30"E ninety one and fifty seven hundredths (91.57) feet along a tangential line to a drill hole in a stone bound, thence;

Northeasterly and southeasterly along a tangential curve to the right having a radius of five hundred thirty four and forty one hundredths (534.41) feet through a central angle of 52°40'16", an arc length of four hundred ninety one and twenty seven hundredths (491.27) feet, and a chord of S80°34'22"E four hundred seventy four and sixteen hundredths (474.16) feet to a point, thence;

S54°14'14"E one hundred thirty and forty five hundredths (130.45) feet along a tangential line to a point, thence;

Southeasterly along a non-tangential curve to the left having a radius of two thousand nine hundred thirteen and thirty hundredths (2913.30) feet through a central angle of 0°41'25", an arc length of thirty five and ten hundredths (35.10) feet, and a chord of S54°39'09"E thirty five and ten hundredths (35.10) feet to a rebar with cap set in ledge, the last eight described courses being along other land of the City of Newton, thence;

S30°03'46"W one hundred and fourteen hundredths (100.14) feet to a rebar with cap set in ledge, thence turning and running;

S58°07'13"E eighty three and thirteen hundredths (83.13) feet to a mag nail set in stone, thence turning and running;

S29°42'45"W two hundred fifty three and thirty seven hundredths (253.37) feet to a rebar with cap set in ledge, thence;

Southwesterly and southeasterly along a non-tangential curve to the left having a radius of forty three and ninety seven hundredths (43.97) feet through a central angle of 82°55'09", an arc length of sixty three and sixty three hundredths (63.63) feet, and a chord of S11°44'20"E fifty eight and twenty two hundredths (58.22) feet to a rebar with cap set in ledge, thence;

S58°42'25"E seventy nine and sixty five hundredths (79.65) feet along a non-tangential line to a rebar with cap set in ledge, thence turning and running;

N31°05'06"E three hundred fifteen and twenty four hundredths (315.24) feet to a rebar with cap set, thence turning and running;

S70°47'54"E eighty seven and eighty one hundredths (87.81) feet to a rebar with cap set in ledge, thence;

Southeasterly along a tangential curve to the right having a radius of thirty and zero hundredths (30.00) feet through a central angle of 73°09'51" an arc length of thirty eight and thirty one hundredths (38.31) feet, and a chord of S34°12'58"E thirty five and seventy six hundredths (35.76) feet to a rebar with cap set in ledge, thence;

S02°21'58"W three hundred seventy and eighty two hundredths (370.82) feet along a tangential line to a rebar with cap set on the northerly boundary of land of the Commonwealth of Massachusetts Department of Conservation and Recreation, the last nine courses being along remainder land of the Trustees of Boston College, thence turning and running;

N80°40'35"W four hundred and fifty two hundredths (400.52) feet by land of said Commonwealth of Massachusetts to the remains of a drill hole found at the end of the stone wall, thence turning and running;

N73°45'38"W nine hundred forty nine and eighty six hundredths (949.86) feet by land of said Commonwealth of Massachusetts to a point on the southeasterly boundary line of other lands of the City of Newton, the last two courses being by land of the Commonwealth of Massachusetts Department of Conservation and Recreation, thence;

Northeasterly along a non-tangential curve to the right having a radius of two hundred twenty nine and ninety five hundredths (229.95) feet through a central angle of 0°03'26", an arc length of twenty three hundredths (0.23) feet, and a chord of N12°17'09"E twenty three hundredths (0.23) feet to a point, thence;

Northeasterly along a compound curve to the right having a radius of five hundred seventy one and thirty nine hundredths (571.39) feet through a central angle of 14°22'24", an arc length of one hundred forty three and thirty four hundredths (143.34) feet, and a chord of N19°30'04"E one hundred forty two and ninety six hundredths (142.96) feet to a point, thence;

Northeasterly along a non-tangential curve to the left having a radius of three hundred fifteen and twenty four hundredths (315.24) feet through a central angle of 2°36'21", an arc length of fourteen and thirty four hundredths (14.34) feet, and a chord of N03°57'27"E fourteen and thirty four hundredths (14.34) feet to a drill hole in a stone bound, thence;

N02°39'16"E ten and fifty eight hundredths (10.58) feet along a tangential line to a drill hole in a stone bound, thence;

Northwesterly along a tangential curve to the left having a radius of three hundred fifteen and sixty hundredths (315.60) feet through a central angle of 20°13'36", an arc length of one hundred eleven and forty one hundredths (111.41) feet, and a chord of N07°27'32"W one hundred ten and eighty four hundredths (110.84) feet to a drill hole in a stone bound, thence;

N17°31'18"W seventy nine and seven hundredths (79.07) feet along a non-tangential line to a point, the last six courses being along other lands of the City of Newton, thence turning and running;

N62°00'27"E forty and sixty eight hundredths (40.68) feet crossing said Carlisle St. to the iron pin first mentioned and said point being the point of beginning,

The above described parcel contains about six hundred forty three thousand two hundred and one (643,201) square feet or fourteen and seventy six tenths (14.76) acres, more or less and being shown on a plan entitled, "Taking Plan of Land", Prepared for the City of Newton, scale: 1"=80', dated: January 20, 2021, Prepared jointly by CHA Consulting Group, Inc. & The City of Newton Engineering Division, said Taking Plan to be recorded at the Middlesex South District Registry of Deeds herewith.

The aforesaid description of the taken land hereby supersedes and replaces the description set forth in the Order of Taking recorded on December 24, 2019 at the Middlesex South Registry of Deeds in Book 73890, Page 239,

In all details and respects other than as to the superseding description of the property taken as set forth in this CONFIRMATORY ORDER OF TAKING, including the award of damages made therefore, the other conditions and circumstances to which the taking is subject, and all other matters, the City of Newton hereby confirms are as set forth in the Order of Taking recorded on December 24, 2019 at the Middlesex South Registry of Deeds in Book 73890, Page 239.

Under Suspension of Rules
Readings Waived and Adopted

Yeas Nays

Signed Carol Moore
 City Clerk

Signed Ruthanne Fuller
 Mayor

Dated _____ 2023

AREA NOTES:

CHA AREA HOLDING DRILL HOLE LOCATION
 TAKING = 843482 SQ. FT. OR 14.78 ACRES
 REMAINING LAND = 330722 SQ. FT. OR 7.39 ACRES

FELDMAN SURVEY
 TAKING = 741006 SQ. FT. OR 13.4 ACRES
 REMAINING LAND 348489 SQ. FT. OR 7.92 ACRES

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE SURVEYORS OF RECORD OF THE COMMONWEALTH OF MASSACHUSETTS

PROGRESS PRINT

OCTOBER 14, 2014

DATE: _____
 PLAN IN PURSUANT PLAN #1922

GENERAL NOTES:

1. THIS SURVEY IS BASED ON THE RESULT OF AN INSTRUMENTAL SURVEY PERFORMED BY CHA CONSULTING, INC. ON NOVEMBER AND DECEMBER OF 2014. THE EXISTING CONDITIONS INFORMATION SHOWN HEREON ARE COMPILED FROM RECORD PLANS.

2. ALL DEED REFERENCES ARE TO UNINCORPORATED SOUTH COUNTY HISTORY OF DEED UNDER EPOCHIC NO. 10.

3. LOCUS OWNER OF RECORD

TOWNSHIPS OF NEWTON COLLEGE
 8000 BUCK STONE ROAD, 2ND
 FLOOR, 10 BOSTON 02453

4. THE PROJECT AREA IS NOW LOCATED IN A SPECIAL FLOOD ZONE AS SHOWN ON FLOOD INSURANCE RATE MAP FOR MIDDLESEX COUNTY, COMMUNITY PANEL NUMBER 2801200000C, EFFECTIVE DATE, JAN. 4, 2014.

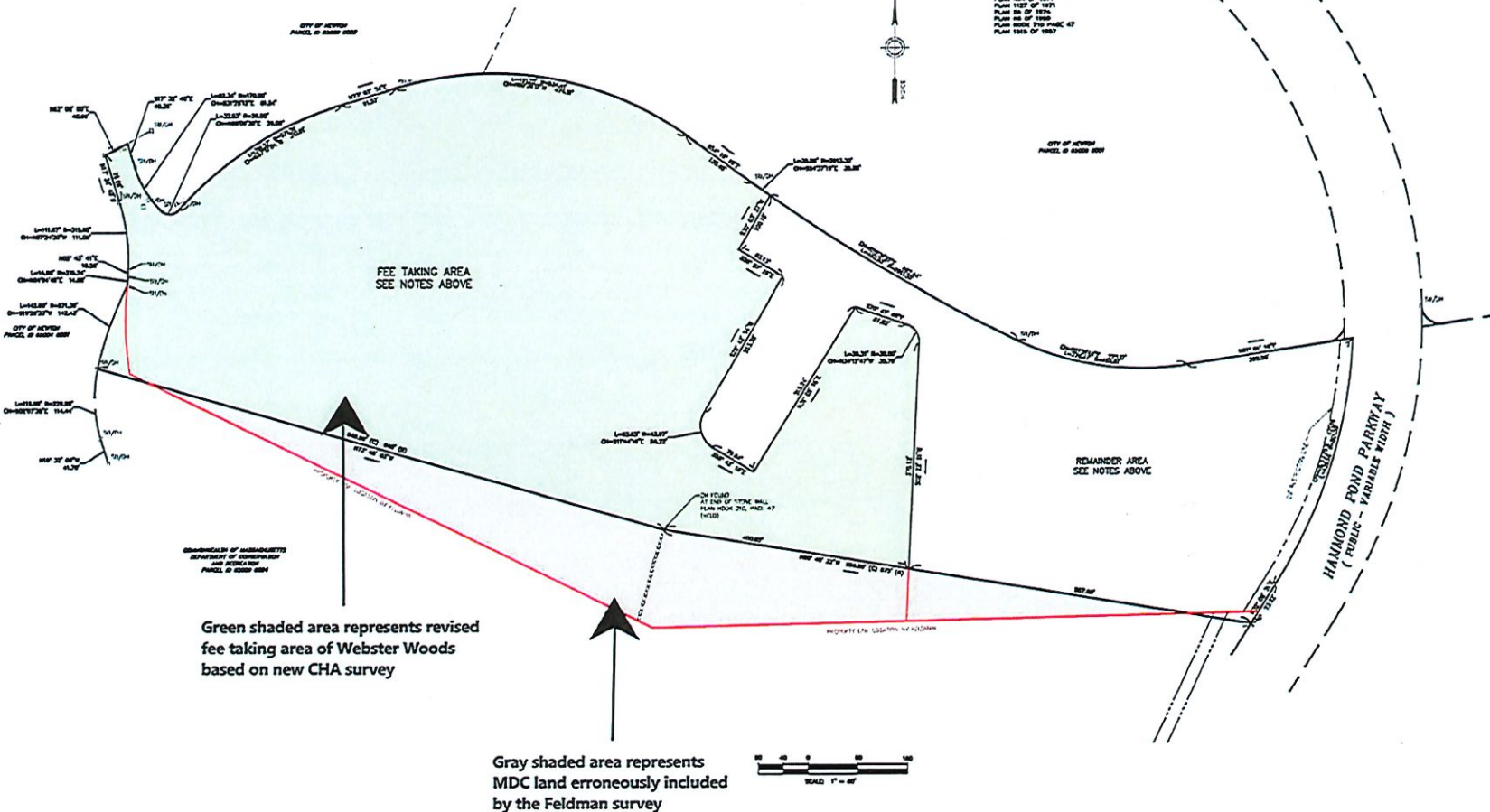
5. THE LOCUS PARCEL IS LOCATED IN THE CITY OF NEWTON SINGLE RESIDENCE 1 DISTRICT (SR1) AS NOTED BY THE TOWN OF NEWTON ASSESSOR, MAPS.

MINIMUM SETBACK REQUIREMENTS AND

FRONT SETBACK: _____ FT.
 SIDE SETBACK: _____ FT.
 REAR SETBACK: _____ FT.

6. PLAN REFERENCES

- PLAN 1144 OF 1986
- PLAN 1232 OF 1984
- PLAN 1251 OF 1984
- PLAN 1127 OF 1973
- PLAN 88 OF 1974
- PLAN 84 OF 1969
- PLAN BOOK 170 PAGES 47
- PLAN 1283 OF 1987



Green shaded area represents revised fee taking area of Webster Woods based on new CHA survey

Gray shaded area represents MDC land erroneously included by the Feldman survey



PREPARED FOR:
 CITY OF NEWTON
 1000 COMMONWEALTH AVENUE
 NEWTON CENTRE, MA 02459

PROPERTY LOCATION:
 300 HAMMOND POND PARKWAY
 NEWTON, MA

| No. | Submitted/Revised | Asmt. No. | Date |
|-----|-------------------|-----------|------|
| | | | |
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TAKING PLAN OF LAND

| Designed By | Drawn By | Checked By |
|-------------|-------------|------------|
| --- | MJC | MJD |
| Issue Date | Project No. | Scale |
| 10/02/14 | 19221 | 1"=100' |

Drawing No. _____
 SHEET 1 OF 1

Generic Trails OOC - Findings and Special Conditions

Findings (considered as and given equal status ad special conditions)

- Applicant: Newton Conservation Commission
- Representative: same
- Existing Conditions: Varies, but mostly naturally wooded areas with pedestrian footpaths.
- Jurisdiction: Varies, but often Riverfront Area, Flood zone, and Buffer zone
- Approved Project and Activities: Any trail maintenance or land management project that conforms with the restrictions and conditions noted in the Narrative, Appendix A and Appendix B (Pages 3-7 of this document).
- Final Approved Plans: Not applicable

Newton's Conditions

Specific to this Project

20. All projects shall conform with the conditions noted in the Narrative, Appendix A and Appendix B (Pages 3-7 of this document).

General

21. Any desired deviations from this plan shall be requested in writing of the Commission Office, who shall determine if said change requires filing a new Notice of Intent.
22. Work shall be immediately halted on the site if an Agent of the Commission or DEP determines that any of the work is not in compliance with this Order of Conditions or Special Order of Conditions.
23. Any damage to wetland resource areas shall be the responsibility of the applicant, any successor in interest or successor in control to remediate. The applicant shall see that throughout the construction period, all measures necessary to prevent any damage to the wetland resource area are taken and should any damage occur during the course of the work on the premises, the applicant shall be responsible for and bear the full cost of restoration of the wetland to the satisfaction of the Conservation Commission and the Engineering Department.
24. Violation of any condition stated herein may result in Enforcement Action.
25. In case of emergencies, problems, or the need to discuss site conditions with the Commission, contact: Jennifer Steel: 617-796-1134.

Before Work Begins

26. Appropriate erosion control measures must be installed and maintained during the construction period until the site is stable. All soils must be contained on the site.
27. The Project Supervisor(s) must:
 - a. Be given a copy of the Order Of Conditions
 - b. Keep a copy of this Order and the Approved Plan on site at all times, while work is being conducted.
 - c. Be made aware that they are responsible for compliance with this Order and may be held jointly responsible for any violations and the penalties under law for said violations.
 - d. Submit to the Commission a schedule or timeline of major events in the project.
28. Before work may begin, installation of erosion controls, project requirements shall be approved in the field by the Newton Conservation Commission at a pre-construction site visit with the Conservation Agent, to be scheduled by the Applicant and held in advance of any land disturbing activities. The following people shall be present for the pre-construction meeting:
 - a. Applicant or Applicant's Representative(s) from the Conservation Commission Public Hearings
 - b. Applicant's Construction Supervisor (person responsible for overall compliance with this Order)
 - c. Applicant's Contractor(s)
 - d. Agent(s) of the Commission
29. Notice shall be given to the Newton Conservation Commission no less than two (2) business days prior to the commencement of construction activities.

During Construction

30. A copy of the approved plans and Order of Conditions shall be kept on-site and available for review at all times. All contractors are expected to adhere to the approved plan and these Conditions.
31. Construction materials, vehicles, and earth shall be stored outside of the 100-foot buffer zone of wetland resource areas or 200-foot Riverfront Areas, unless otherwise demarcated and authorized on the approved plans. The storage of materials and sediment in the floodplain is prohibited. All dumpsters, piles of lumber, pipe and other materials shall take place outside of the floodplain. All stockpiled soils shall be located outside of the floodplain and appropriate erosion controls must be applied to ensure that sediments do not erode or blow into the wetland resource area.
32. Erosion control barriers shall be inspected regularly and maintained at all times. Earth shall not be backfilled against or allowed to overtop erosion control barriers. Silt and sand accumulating behind said barriers shall be removed regularly. If a breach of the erosion control barriers occurs, the Newton Conservation Commission shall be notified, and measures shall be taken to remediate said breach under the guidance of the Commission.

Upon Completion of the Project

33. Upon completion of the project, all exposed soil areas shall be stabilized and re-vegetated. Any excess spoil material which is to remain on Applicant's premises and all areas of disturbed soil shall be left stabilized with mulch, grass or other plantings and protected against erosion and sedimentation. All materials not to remain on Applicant's premises shall be removed from said premises and disposed in a legal manner.
34. Upon completion of the project, the Conservation Office shall be notified, and permission to remove sediment barriers and the DEP file number sign shall be sought.

Narrative
accompanying
Generic Notice of Intent
for

Trail Maintenance and Invasive Species Management

Many local organizations own and manage land and passive recreation facilities for the public. Said land often has jurisdictional wetlands and/or buffer zones associated with them. Such organizations should be allowed to practice certain maintenance and/or minor improvement activities without having to file individual RDAs or NOIs for each activity.

The landowning organizations identified below should be allowed to undertake specified activities in areas subject to Commission jurisdiction, under special conditions, without further application to the Conservation Commission.

1. The identified organizations are:
 - a. Newton Conservation Commission and
 - b. Newton Parks and Recreation Department.
2. The specified maintenance and development activities are listed below in Sections I and II
3. Special conditions are listed in Section III.

SECTION I. Work to be allowed under a generic Order of Conditions without further notification to the Commission

1. Hand removal of trash and unnatural debris from anywhere
2. Routine maintenance of existing trails and access roads

Routine maintenance of trails and access roads is defined as work on the existing treadway/surface, the airspace above the treadway/surface, and vegetation control within 2 feet of the treadway/surface.

Routine maintenance includes:

- a. Pruning brush, branches, fallen trees, hazard trees, or from the trail/access road to maintain a safe corridor.
 - i. Disposed cuttings must be dispersed as if they fell naturally.
- b. Clearing and maintenance of existing treadway/surface erosion control features such as water bars, trail dips, contoured surfaces, etc.
- c. Adding surface erosion control features (e.g., building trail dips or water bars)
- d. Improving (with woodchips, stone dust, or gravel) or widening the treadway/surface of an existing trail/access road

3. Routine maintenance of existing infrastructures or site furnishings such as boardwalks or bridges, culverts, parking areas, benches, picnic tables, trash receptacles, fencing, railings, signs, etc.
4. Routine maintenance of existing mowed areas.
5. Installation of signs about boundaries, permitted and restricted land uses, natural resources, etc.
6. Replacement of or addition of trail and boundary markers, including posts (driven or set in post holes of less than 12" diameter).

SECTION II. Work which requires notification to and Administrative Approval by the Commission or Conservation Office, but which may not require a separate new Notice of Intent filing. For the activities listed above, the applicant must submit to the Conservation Office as specified in Section III, number 1, below.

1. Creating or re-routing a trail (provided the actions are consistent with Appendix B)
2. Installing boardwalks, stepping stones, and bog bridges
3. Improving, but not enlarging, existing parking areas (e.g., sealcoating or restriping paved lots, or regrading dirt lots)
4. Removing invasive exotic species from the buffer zone or Wetland Resource Area, provided the removal actions are in accordance with the procedures outlined in Appendix A).

Note: If the Commission determines that the nature or scope of the proposed activities may adversely impact wetlands, may require the filing of an NOI or RDA.

SECTION III. SPECIAL CONDITIONS TO BE IMPOSED ON ALL "SECTION II" ADMIN. APPROVAL PROJECTS

1. Notification
 - a. Applicants shall notify the Commission two weeks in advance of planned work.
 - b. Notification shall consist of two copies of:
 - i. The location of the property,
 - ii. The name of the applicant and property owner,
 - iii. The name(s) of the personnel who will be directing the work,
 - iv. A scaled sketch plan of the proposals showing the wetland resource areas and proposed alterations, and
 - v. A narrative of the proposed work including:
 1. Process (e.g., machinery, tools, stockpiling) and timeframes
 2. Protective measures (e.g., sediment controls)
 3. An analysis of impacts and benefits (demonstrating net positive impacts)
2. Invasive species control: The applicant shall abide by the guidelines in Appendix A.
3. Trail construction and maintenance: The applicant shall abide by the guidelines in Appendix B.
4. Commission inspection: The Commission or an Agent of the Commission may inspect the proposed locations of all work prior to the Commission's deliberations and decisions.
5. Erosion and sedimentation control: The Commission or an Agent of the Commission shall direct the applicant to install erosion and sedimentation controls as necessary.

Appendix A: Invasive Plant Control

Introduction

The term “invasive plants” usually refers to aggressive, non-native plants that thrive in our area, crowding out native plants. They have no native predators, are resistant to attack, and can re-establish themselves quickly and aggressively. They often leaf out earlier than native plants, establish tremendous seed stocks in the soil, and grow very rapidly in our climate and light regime. All invasive species are causing rapid detrimental changes to the native habitats they invade, diminishing the ability of those habitats to support native wildlife. Many invasive species were introduced as ornamentals, or as commercially important products. Successful control requires a long-term commitment.

Mechanical Best Practices

- **Pull and Dig:** Pull small plants by hand or use a digging fork, as shovels can shear off portions of the root system, allowing for regrowth. To remove larger woody stems (up to about three inches in diameter), use a Weed Wrench™, Root Jack, or Root Talon.
- **Suffocate:** Place 2-3 layers of thick UV-stabilized plastic sheeting over the infestation and at least five feet past the edge of infestation on all sides; secure the plastic with stakes or weights. Leave the plastic in place for at least two years. This technique will kill everything beneath the plastic—invasive and non-invasive plants alike. Remove plastic when done or when it shows signs of decay. Once the plastic is gone, sow a cover crop such as annual rye to prevent new invasions.
- **Cut or mow:** You will need to mow or cut infested areas three or four times a year for up to five years. With this treatment, the infestation may actually appear to get worse at first, so you will need to be persistent.

Chemical Control Best Practices

Herbicides are among the most effective and resource-efficient tools to treat invasives. When herbicide use is appropriate, read the label carefully and follow all instructions for mixing, application, personal protection, etc. Use the most appropriate herbicide application techniques and formulations to avoid damage to non-targeted plants, wildlife and water resources. Seek advice from a licensed applicator if appropriate. Applicators on public land must have a MA Pesticide Bureau license. The two most common active ingredients are glyphosate and triclopyr.

- Glyphosate (the active ingredient in Roundup™ and Rodeo™) is non-selective, so care must be taken to avoid non-target species, but it is readily and rapidly biodegraded by microorganisms.
- Triclopyr (the active ingredient in Brush-BGone™ and Garlon™) is selective and does not injure monocots (grasses, orchids, lilies, etc.), but it can migrate through intermingled roots, so care must be taken when using this product.
- Fosamine is a non-selective woody bud inhibitor

- **Foliar Spray Treatments**

| | |
|-------------------|---|
| What to use | <ul style="list-style-type: none"> • 5% solution of Glyphosate or Triclopyr |
| What to use it on | <ul style="list-style-type: none"> • When problems are on a small scale • Spot-treat individual plants that are difficult to remove mechanically, e.g., goutweed, swallowwort, or purple loosestrife • Large monocultures of herbaceous plants • Some woody species that grow in dense masses such as Japanese barberry, multiflora rose, Japanese honeysuckle, and Oriental bittersweet |
| When to use it | <ul style="list-style-type: none"> • Usually when plants are actively growing leaves, ideally when flowering or forming fruit. |
| How to use it | <ul style="list-style-type: none"> • Plants are often more susceptible to chemical treatment if the stems are cut and the regrowth is treated. This is especially true for Japanese knotweed. • Thoroughly wet leaves with herbicide on a day when there is no rain forecast for the next 24-48 hours. |

- **Cut Stem Treatments**

| | |
|-------------------|--|
| What to use | <ul style="list-style-type: none"> • Usually a ~25-35% solution of Glyphosate (<i>but use Triclopyr on Oriental Bittersweet</i>) |
| What to use it on | <ul style="list-style-type: none"> • Good for all woody stems |
| When to use it | <ul style="list-style-type: none"> • Late summer or autumn (late August-November), when plants are putting energy into their roots. |
| How to use it | <ul style="list-style-type: none"> • First, cut stems close to the ground, but not so close that you lose track. • Then, apply herbicide directly to the cut surface (with a sponge, paintbrush, or spray bottle) as soon as possible. |

Disposal Best Practices

Care must always be taken when disposing of invasive plant material, since many stem and root fragments, fruits and seeds are capable of regenerating.

- **Burn it:** Make a brush pile and burn the material. This is the most reliable method, but must be permissible.
- **Pile it:** Make a pile of the woody debris. This technique will provide shelter for wildlife as well. But monitor for resprouting in the area
- **Compost it:** The pile is for invasive plants only. Remove any resprouts. Do not use the resulting compost in your garden.
- **Dry it/cook it IF there is no seed:** Place **woody** debris on asphalt in the summer and let it dry out for a month. Place herbaceous material in a black trash bag and let it cook in the sun for one month. At the end of the month, the material should be non-viable, so you can dispose of it as trash.

Key to Control Methods on Summary Management Chart (next page)

- **Basal:** Apply oil-based Triclopyr (12%) from the base of the plant to a height of 12-18” with an ultra-low-volume sprayer or wick on stems 2-6” diameter
- **Cut:** Cut to the ground **Cut→:** Cut or mow repeatedly throughout the growing season
- **Dig:** Dig to remove all roots (use a digging fork to avoid slicing roots and leaving root fragments)
- **Foliar:** Spray the leaves with an herbicide (Foliar-g = glyphosate; Foliar-t = triclopyr; 2-3%) – usually early spring or late fall when natives are dormant
- **Mat:** Cover cut plants with UV-resistant, heavy gauge black plastic to preclude sunlight; leave in place for 1-2 yrs
- **C&P:** Cut and paint (or sponge or drip) herbicide on freshly cut stem (CP-g = glyphosate; CP-t = triclopyr; 50%)
- **Pull:** hand pull when the soil is moist
- *****: Look for another asterisk in that row for more information

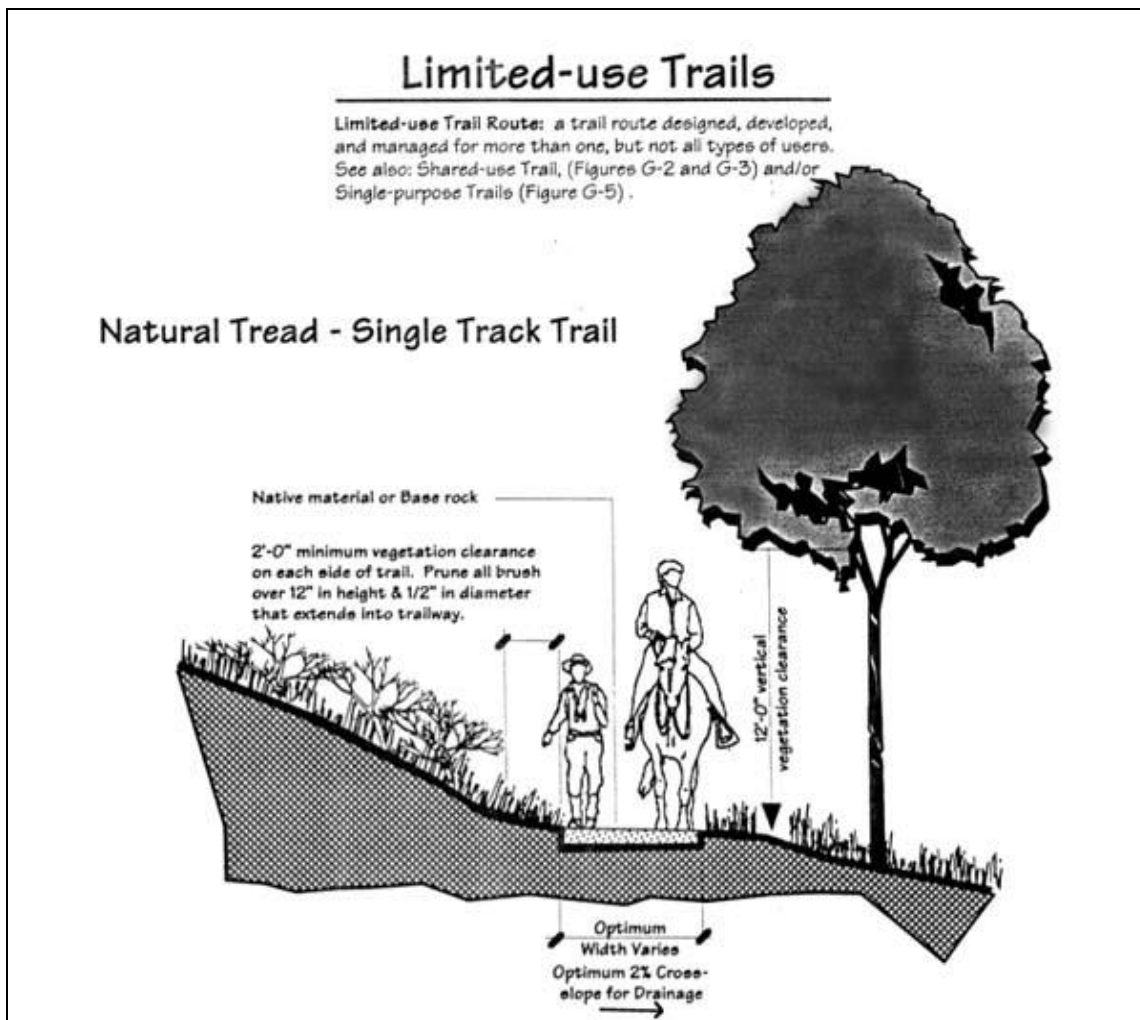
Summary Management Chart (Based on Orleans Invasive Species Committee materials. It offers general guidance & should be used in conjunction with sensible land management practices)

| Invasive Spp. | April | May | June | July-Aug | Sept | Oct | DOs | DONTs |
|------------------------------------|------------------|--------------------------------|--------------|------------------|---------------------------|---------------------------|--|--|
| Norway Maple | Pull Cut | Pull Cut | Pull Cut | Pull Cut | Pull C&P | Pull C&P | Pull small seedlings. Cut larger trees and continue to cut re-sprouts. | |
| Tree of Heaven | Pull | Pull | Foliar-g | | C&P-t Basal | | Pull seedlings, removing entire tap root since resprouting from fragments occurs. Foliar spray seedlings. Cut and paint larger trees. | <u>Don't</u> cut only, it stimulates resprouting |
| Glossy Buckthorn | Pull Dig | Pull Dig | Pull Dig | | C&P Foliar-g Basal* | C&P Foliar-g Basal* | Tamp soil after pulling to discourage seed sprouting. Chemical control can be done anytime, but is best in fall when natives are dormant. *Basal Treatment: (1) 6-25% a.i. triclopyr for oil dilution, (2) 12.5% 2-4-D, or (3) 3% Fosamine. For stems >2" spray all the way around. For smaller stems spray just one side. | <u>Don't</u> cut or girdle only since it results in vigorous resprouting. |
| Winged Euonymus | Pull | Pull | Foliar-g | | Cut C&P-g Basal | Cut C&P-g Basal | Pull seedlings. Cut large shrubs <u>and</u> grind stumps <u>or</u> clip regrowth <u>or</u> paint immediately. Produces vast numbers of seeds, so continued management will be necessary. | <u>NOTE</u> : Grinding stumps can produce new pants from root fragments |
| Multiflora Rose | Cut→ | Cut→ | Cut→ | Cut→ Foliar-g | Cut→ Foliar-g C&P-g | Cut→ Foliar-g C&P-g | Cut 3-6 times per season for several years. OR use the recommended glyphosate treatments | |
| Japanese Barberry | Pull Dig | Pull Dig | Pull Dig | Foliar-g | Foliar-g C&P-g | Foliar-g C&P-g | Dig it out in early spring (it leafs out very early so is easy to see). Wear gloves to protect hands from spines. | |
| Bush Honeysuckle | Pull Dig | Pull Dig Cut | Pull Dig | C&P Foliar | C&P Foliar | Cut C&P Basal | Light infestations may be cleared with a shovel or hoe – continue for 3-5 years. | <u>Don't</u> leave root fragments, they re-sprout |
| Oriental Bittersweet | Pull | Cut-then -foliar* Foliar | Foliar | | C&P-t | Foliar | Small areas can be controlled by pulling. *Cut early in the season followed by a foliar spray one month later <u>OR</u> cut and paint in Sept <u>OR</u> foliar spray in early spring or late fall when other species are dormant. Established stands may require triclopyr application by a professional. | |
| Japanese (vine) Honeysuckle | Pull Foliar-g | Pull C&P-g | | C&P-g | C&P-g | Foliar-g | Mowing must be often enough to remove flowers, fruits, and regrowth – over 5 years. Foliar application og glyphosate (0.75-5%) after the first frost may be the most effective treatment. | <u>Don't</u> mow, they re-sprout. <u>Don't</u> use triclopyr, ineffective |
| Japanese Knotweed | Mat | Cut→ Dig | Cut→ | Cut→ C&P-g* | Cut→ C&P-g* | Cut→ | Dig to get all runner fragments <u>OR</u> Cut several times per year for several years <u>OR</u> Cut and paint (the hottest, most humid days of the summer are best for treatment) <u>OR</u> shade with black plastic. *Cut stems halfway between two leaf nodes at a comfortable height. Inject (or squirt from wash bottle, eyedropper, spray bottle) herbicide into exposed hollow stem. All stems should be treated. It helps to mix a dye (specially formulated, food or laundry) in with the herbicide. | <u>Don't</u> leave runner fragments, they re-sprout |
| English Ivy | Cut→ | Cut→ | Cut→ Pull | Cut→ Pull | Cut→ Pull | Cut→ Foliar-t | Use triclopyr amine 2.5%. | <u>Don't</u> use glyphosate, English ivy is resistant. |
| Purple Loosestrife | Dig Pull | Dig Pull | Foliar | Foliar | Pull Foliar | | Pull or spray before seeds set in summer or early fall. Use only herbicides permitted for wetland use (Accord®, Glypro®). Get a permit. | <u>Don't</u> leave runner fragments, they re-sprout |
| Garlic Mustard | Foliar-g | Pull Cut | Pull Cut | | | Foliar-g | Hand pull or cut (when plants are in full bloom) for 7 years. Apply herbicides to basal florets in early spring or late fall. | |
| Phragmites | | | | C&P* | C&P* | | The hottest, most humid days of the summer are best for treatment. *Cut stems halfway between two leaf nodes at a comfortable height. Inject (or squirt from wash bottle, eyedropper, spray bottle) herbicide into exposed hollow stem. All stems should be treated. It helps to mix a dye (specially formulated, food or laundry) in with the herbicide. | |

Appendix B: Recreational Trail Design and Construction Guidelines

Before beginning any construction, flag/stake the entire project to:

- Guide pedestrians near interesting natural features
- Avoid wet areas
- Avoid traversing on steeply sloped foot beds
- Avoid cutting healthy trees larger than 7 inches stem diameter
- Establish the limits of clearing. Follow dimensional guidelines (see illustration, below):
 - Allow treadway to be no more than 8 feet wide for heavy-use trails
 - Allow treadway to be no more than 3 feet wide for light-use trails



Clear the trail

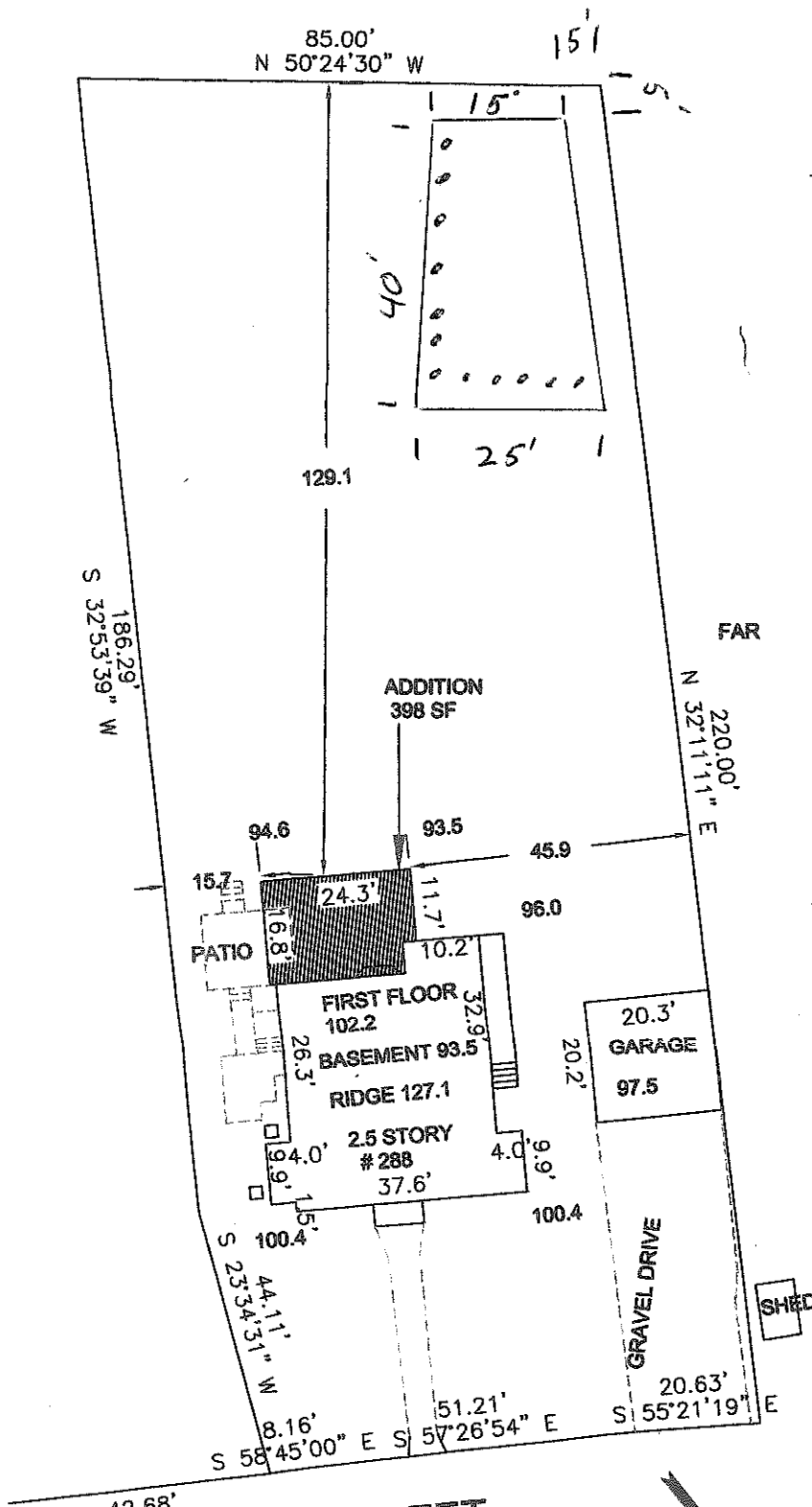
- Remove trees, brush, and rocks from the treadway
 - Prune vegetation to 12" in 2-foot swaths on either side of the treadway
 - Prune overhanging branches to 12 feet
 - Cut shrubs and small trees flush with the ground to prevent tripping and to reduce stump sprouting. Some trees may require chemical stump treatments to prevent re-sprouting.

- Prune overhanging branches cleanly at the branch collar on the tree trunk or where a branch forks.
- Trim exposed roots flush with the soil surface.
- Scatter branches and other debris off the trail or pile for wildlife cover.
- In wet areas, raise the treadway 3 to 6 inches above the surrounding terrain to allow water to drain away, or use gravel, flat stones, fabric mats, corduroy, or even boardwalks to elevate the trail surface.
- Finish the treadway as required.
 - The ideal surface is natural soil free of large stones, stumps, and protruding roots.
 - Avoid unnecessary disruptions of the ground surface.
- Remove large rocks and fallen logs from the trail, unless they are to be kept as obstacles to prevent motorized use.

Mark the trail

- Use blaze paint of appropriate and consistent color and standard blaze size.

288 Mill St - Old mitigation plan & condition



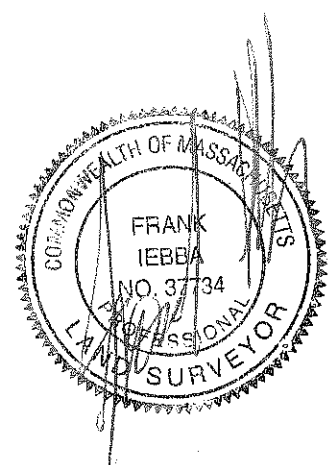
MILL STREET

LOT AREA: 19099 SF
SINGLE RESIDENCE 2 ZONE

| EXISTING | PROPOSED |
|---------------------------|----------------------------|
| LOT COVER 9.5 % (1815 SF) | LOT COVER 11.6 % (2213 SF) |
| OPEN SPACE 85 % (2845 S) | OPEN SPACE 83 % (3243 S) |

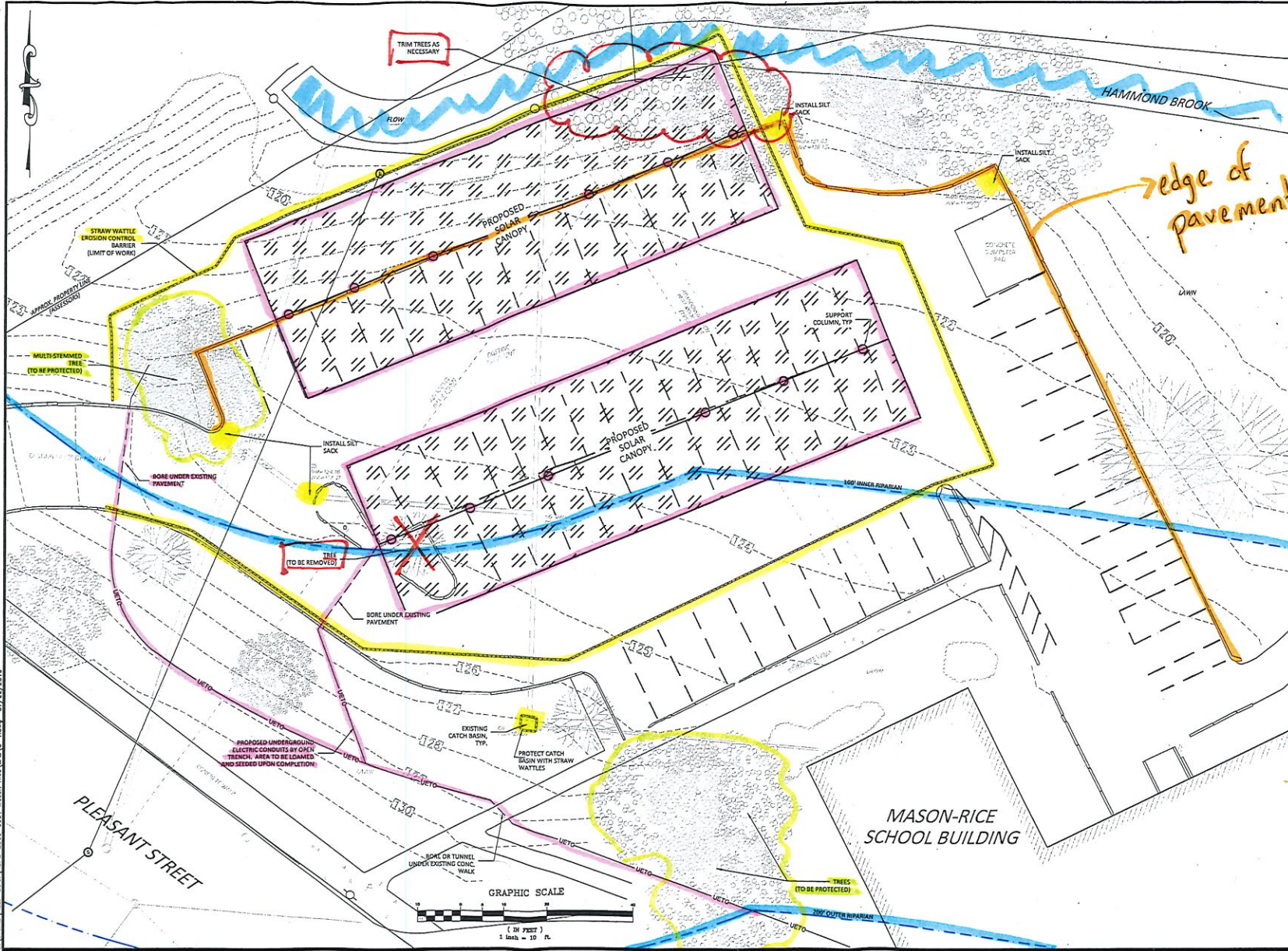
21. A mitigation and/or restoration planting plan of ~ 770 s.f. in the area identified as "disturbed lawn" must be presented to the Conservation Commission for review and approval.

- The plan must be designed and maintained to replicate to the maximum extent practical a diverse ecological system, provide habitat for native species, and keep invasive species in check.
- The plan must include at least 12 native shrubs.
- The plan must include at least 25 native spreading herbaceous/groundcover plants.
- The plan must include 4 bounds (1" iron pipe or 4"x4"x36" stone or concrete post with at least 6" above grade) placed at the up-gradient boundary.



PROPOSED ADDITION

149 Pleasant St - Solar Canopies



Green Seal Environmental, Inc.
 114 State Road, Building B
 Sagamore Beach, MA 02562
 Tel: (508) 888-6034
 Fax: (508) 888-1506
 www.gseer.com

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 DIMENSIONS ARE AS INDICATED.
 USE OF THIS PLAN CONSTITUTES ACCEPTANCE OF TERMS AND CONDITIONS SET FORTH IN ACCOMPANYING PROJECT DOCUMENTATION.
 IT IS THE RESPONSIBILITY OF THE USER TO CONFIRM DISCREPANCIES WITH THE ENGINEER PRIOR TO USE.

| REVISIONS | |
|-----------|------------------------------|
| A | 3/2/19 ISSUED FOR PERMITTING |

| NO. | DATE | COMMENT |
|-----|------|---------|
| | | |

PROJECT:
 "MASON RICE SOLAR CANOPY"
 IN
 NEWTON, MASSACHUSETTS

PREPARED FOR:

DRAWING TITLE:
 SITE PLAN

| | | | |
|---------|-----|--------|------------|
| DRAFT: | CEB | CHECK: | SDC |
| DESIGN: | SDC | DATE: | 07/22/2019 |

| | |
|--------|------------|
| SCALE: | 1" = 10 FT |
| SHEET: | C-2 |



① 149 PLEASANT ST - PROPOSED WORK
 9/12/19

S:\Clients\Hesp\Solar\NSRP-2560-0001_Mason_Rice\CAD\C-1.dwg 07/22/2019

PROPOSED PLANT LIST

| Trees: | Latin Name | Common Name | Min. Size | Subtotal" |
|--|------------|---|------------------------------------|-----------|
| 4 | AS | Acer sacharum Sugar Maple | 3-3.5" cal. B&B 3.5" cal. | 14" |
| 16 | AG | Amelanchier grandiflora 'Autumn Brilliance' Serviceberry | 8-10' ht. B&B 3" cal. | 51" |
| 6 | BN | Betula nigra 'Heritage' River Birch | 3.5" cal. B&B 3.5" cal. | 21" |
| 2 | CO | Celtis occidentalis Hackberry | 3.5" cal. B&B 3.5" cal. | 7" |
| 4 | CT | Chamaecyparis thyoides Atlantic White Cedar | 7'-8' ht. B&B 2.5" cal. | 10" |
| 4 | CN | Chamaecyparis nookatensis 'Pendula' Weeping Alaskan Cedar | 8-10' ht. B&B 4" cal. | 16" |
| 8 | PS | Pinus strobus White Pine | Natural Form 8-10' ht. B&B 4" cal. | 32" |
| 5 | QB | Quercus bicolor Swamp White Oak | 1.5-2" cal. B&B 2" cal | 10" |
| 11 | TP | Thuja plicata x 'Green Giant' Green Giant Cedar | 8-10' ht. 1 leader B&B 4" cal. | 44" |
| Total Caliper Inches of replacement trees: 205" | | | | |

Shrubs and Vines:

| | | | |
|----|-----|---|-----------------|
| 6 | ACC | Amelanchier canadensis Shadblow | 6'-7' B&B |
| 38 | CA | Clethra alnifolia Summersweet | 3 gal. |
| 4 | BD | Buddleia davidii 'Purple Haze' Butterfly Bush | 3 gal. |
| 3 | CD | Callicarpa dichotoma Beauty Bush | 3 gal. |
| 5 | CV | Clematis virginicus Virgins Bower Vine | 2 gal. |
| 4 | H | Hydrangea arborescens Smooth Hydrangea | 3 yr. pots |
| 7 | IM | Ilex x meserveae 'Meschick' Dragon Lady Holly | 3-3.5' cal. B&B |
| 14 | IV | Ilex verticillata 'Winter Red' Winterberry Holly | 3'-4' B&B |
| 17 | ILH | Itea virginica 'Little Henry' Dwarf Itea | 3 gal. |
| 17 | MP | Myrica pennsylvanica Bayberry | 3 gal. |
| 7 | PQ | Parthenocissus quinquefolia Woodbine | 2 gal. |
| 7 | PF | Potentilla fruticosa Goldfinger Yellow Potentilla | 3 gal. |
| 6 | VD | Viburnum dentatum Arrowwood Viburnum | 3'-4' ht. B&B |

Perennials:

| | | | |
|-----|-----|---|--------|
| 37 | cid | Carex morrowii 'Ice Dance' White Variegated Sedge | 1 gal. |
| 10 | cr | Actaea racemosa 'Atropurpurea' Purple Snakeroot | 1 gal. |
| 125 | dp | Dennstaedtia punctilobula Hayscented fern | 1 gal. |
| 40 | di | Hemerocallis 'Hyperion' Daylily | 1 gal. |
| 20 | bb | Monarda 'Cambridge Scarlet' Bee Balm | 1 gal. |
| 14 | nf | Nepeta faassenii 'BlueWonder' Catmint | 1 gal. |
| 33 | oc | Osmunda cinnamomea Cinnamon Fern | 2 gal. |

Landscape Architect shall place plants within natural area. This includes the Chamaecyparis thyoides, Quercus bicolor and Monarda.

Seed all disturbed areas within natural area with New England Erosion Control/Restoration Mix For Detention Basins and Moist Sites - available from newp.com

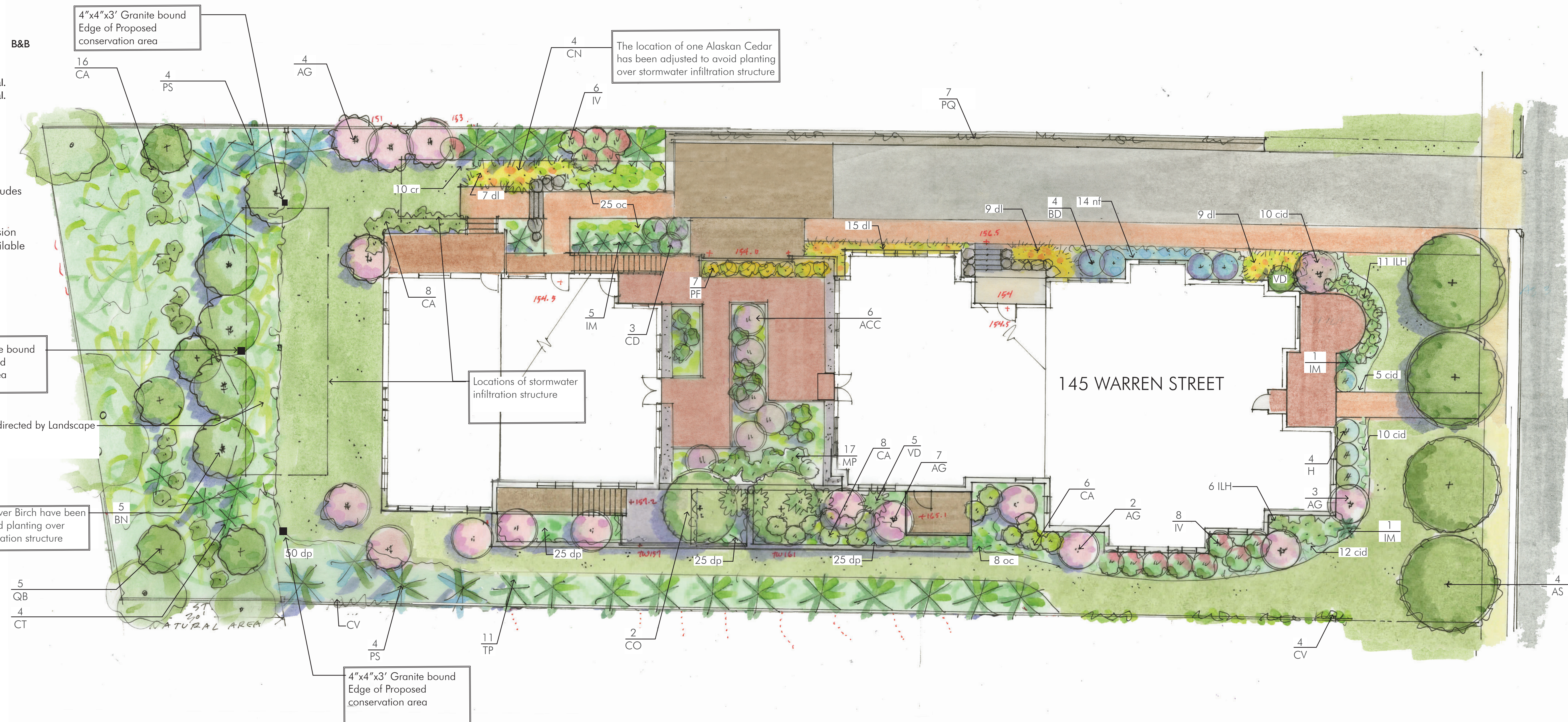
| Seed shaded lawn areas with: | |
|------------------------------|-----|
| Tall Fescue | 33% |
| Chewings Fescue | 33% |
| Red Fescue | 33% |

| Seed sunny lawn areas with: | |
|------------------------------|-----|
| Reliant Hard Fescue | 40% |
| Jamestown II Chewings Fescue | 40% |
| Palmer II perennial ryegrass | 20% |

4"x4"x3' Granite bound
Edge of Proposed
conservation area

Place 20 bb as directed by Landscape
Architect

Placement of River Birch have been
adjusted to avoid planting over
stormwater infiltration structure

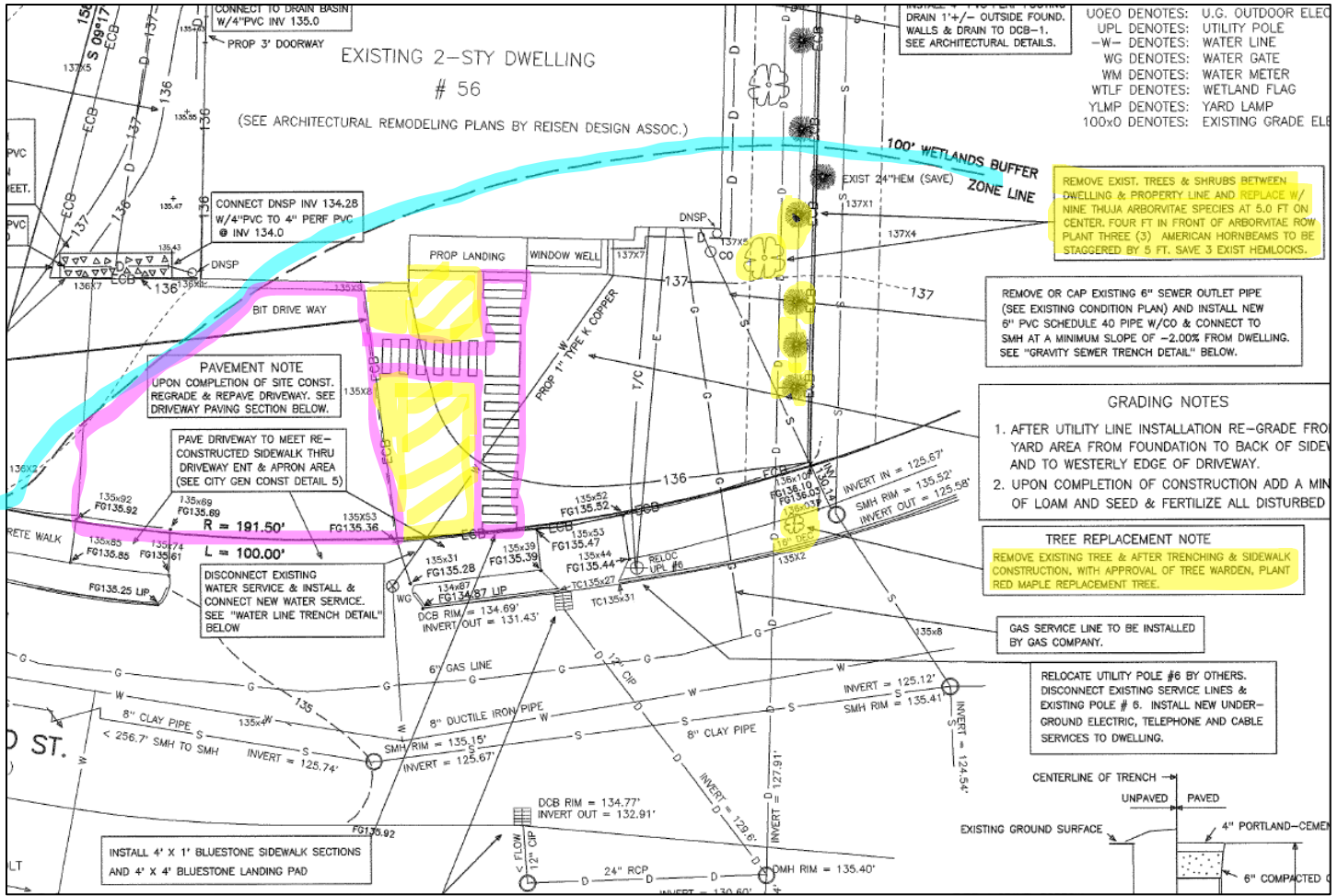


145 Warren -- Approved Landscaping Plan

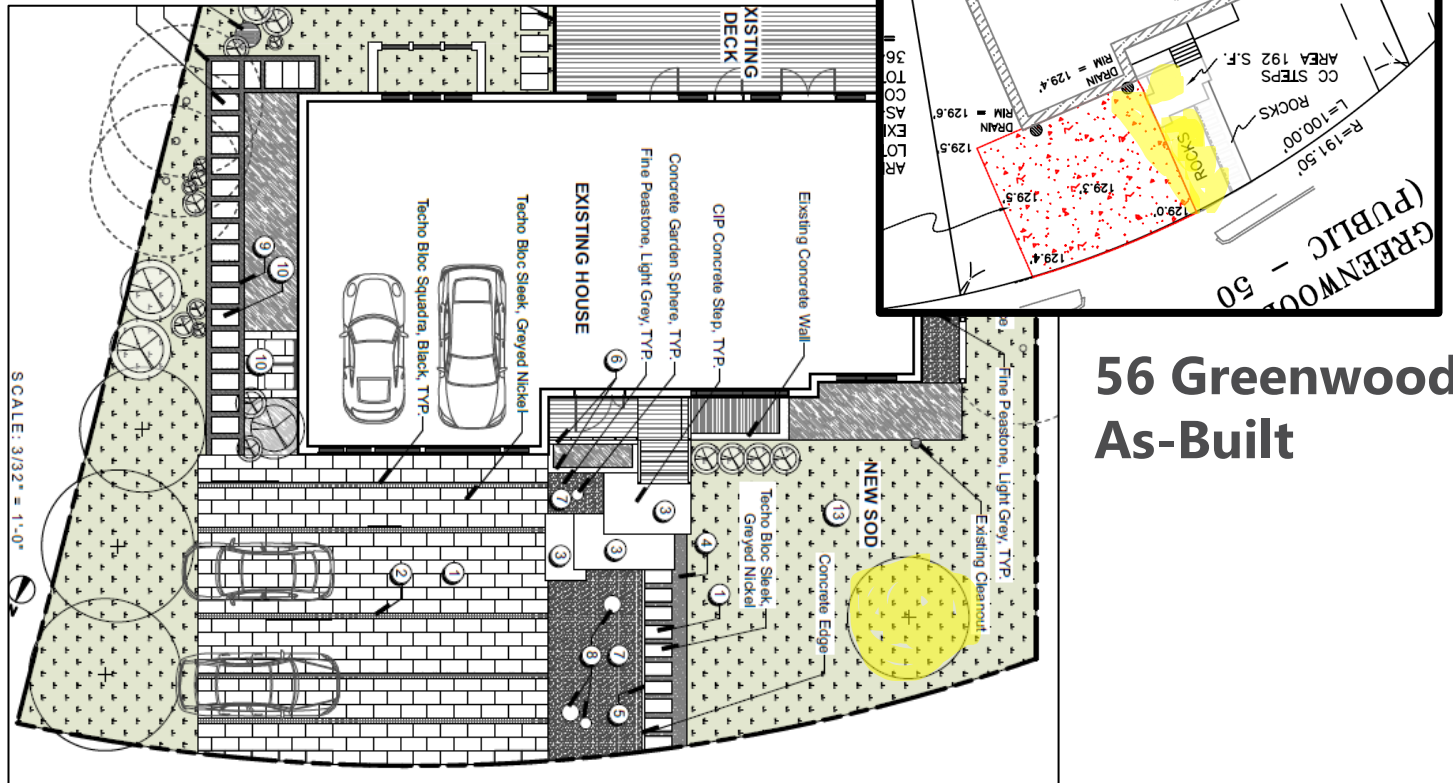


SCALE: 1" = 10'-0"
3 5 10 25

56 Greenwood St. - Approved Plan



56 Greenwood St. - Approved Plan

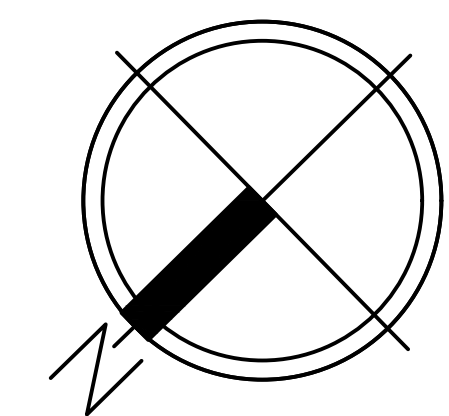


DRAWING NOTES

5-S.B.D.H. To Be Set Typical

REVISIONS

| NO. | BY | DATE | REVISION DESCRIPTION |
|-----|----|---------|------------------------------|
| 1. | NM | 1/6/20 | Planting layout adjustments. |
| 2. | NM | 1/31/20 | Fencing, Snow signs added. |
| 3. | NM | 8/18/20 | Grade & House Adjustment. |
| 4. | | | |



SCALE: 1-1/2" = 1-0'

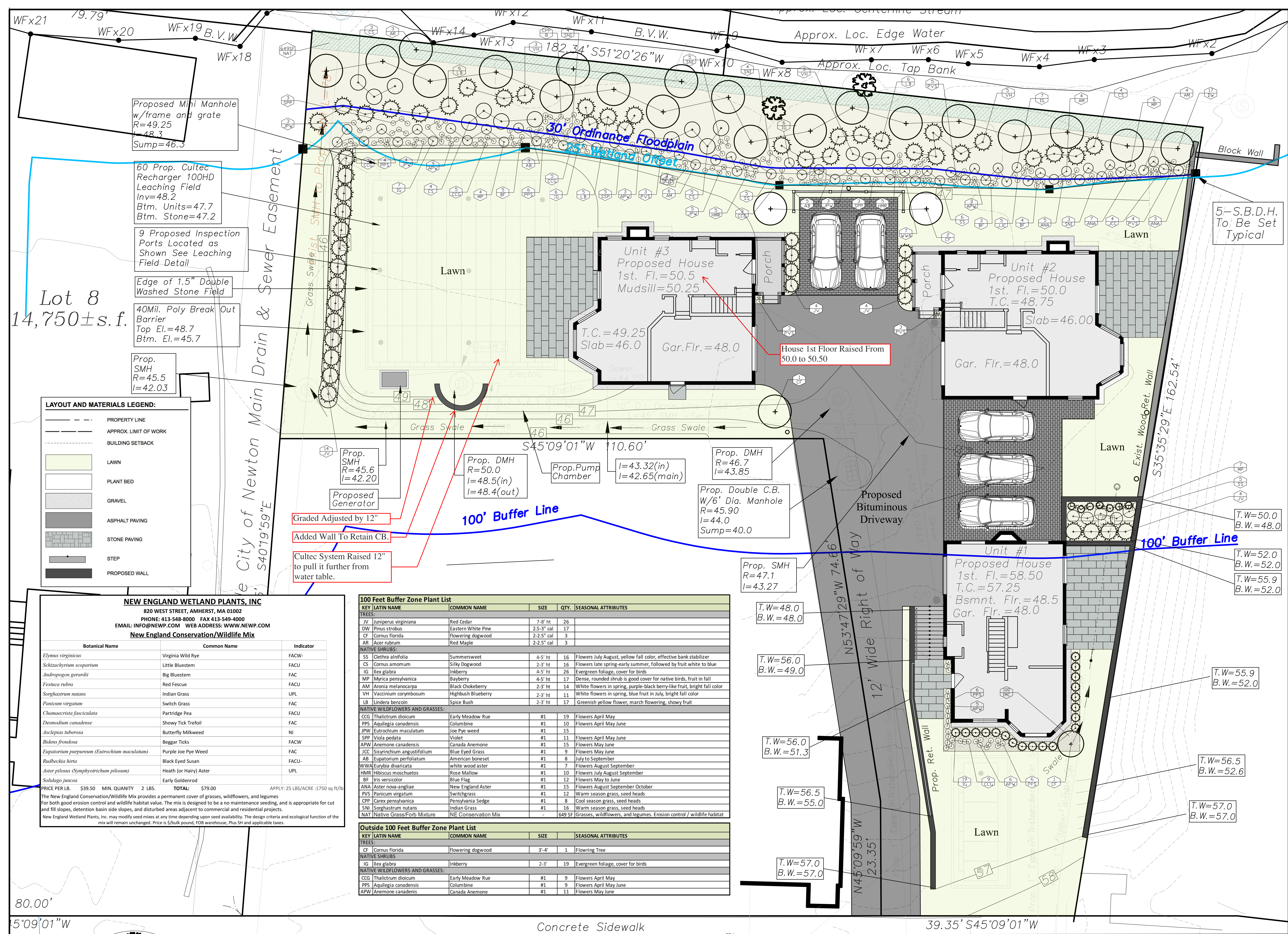
8/18/20
DATE OF DRAWING

For Construction Only
Description

SHEET TITLE
MASTER PLAN

SHEET NUMBER

L-1.0



LAYOUT AND MATERIALS LEGEND:

- PROPERTY LINE
- APPROX. LIMIT OF WORK
- BUILDING SETBACK
- LAWN
- PLANT BED
- GRAVEL
- ASPHALT PAVING
- STONE PAVING
- STEP
- PROPOSED WALL

NEW ENGLAND WETLAND PLANTS, INC
820 WEST STREET, AMHERST, MA 01002
PHONE: 413-548-8000 FAX 413-549-4000
EMAIL: INFO@NEWP.COM WEB ADDRESS: WWW.NEWP.COM

New England Conservation/Wildlife Mix

| Botanical Name | Common Name | Indicator |
|--|------------------------|-----------|
| <i>Elymus virginicus</i> | Virginia Wild Rye | FACW- |
| <i>Schizachyrium scoparium</i> | Little Bluestem | FACU |
| <i>Andropogon gerardii</i> | Big Bluestem | FAC |
| <i>Festuca rubra</i> | Red Fescue | FACU |
| <i>Sorghastrum nutans</i> | Indian Grass | UPL |
| <i>Panicum virgatum</i> | Switch Grass | FAC |
| <i>Chamaecrista fasciculata</i> | Partridge Pea | FACU |
| <i>Desmodium canadense</i> | Showy Tick Trefoil | FAC |
| <i>Asclepias tuberosa</i> | Butterfly Milkweed | NI |
| <i>Bidens frondosa</i> | Beggar Ticks | FACW |
| <i>Eupatorium purpureum (Eutrochium maculatum)</i> | Purple Joe Pye Weed | FAC |
| <i>Rudbeckia hirta</i> | Black Eyed Susan | FACU- |
| <i>Aster pilosus (Symphyotrichum pilosum)</i> | Heath (or Hairy) Aster | UPL |
| <i>Solidago juncea</i> | Early Goldenrod | |

PRICE PER LB. \$39.50 MIN. QUANTITY 2 LBS. TOTAL: \$79.00 APPLY: 25 LBS/ACRE :1750 sq ft/lb

The New England Conservation/Wildlife Mix provides a permanent cover of grasses, wildflowers, and legumes for both good erosion control and wildlife habitat value. The mix is designed to be a no maintenance seeding, and is appropriate for cut and fill slopes, detention basin side slopes, and disturbed areas adjacent to commercial and residential projects. New England Wetland Plants, Inc. may modify seed mixes at any time depending upon seed availability. The design criteria and ecological function of the mix will remain unchanged. Price is \$/bulk pound, FOB warehouse, Plus SH and applicable taxes.

100 Feet Buffer Zone Plant List

| KEY LATIN NAME | COMMON NAME | SIZE | QTY. | SEASONAL ATTRIBUTES |
|--|----------------------------|---------------------|------------|---------------------|
| TREES: | | | | |
| JV | Juniperus virginiana | Red Cedar | 7-8' ht | 26 |
| DW | Pinus strobus | Eastern White Pine | 2.5-3" cal | 17 |
| CF | Cornus florida | flowering dogwood | 2-2.5" cal | 3 |
| AR | Acer rubrum | Red Maple | 2-2.5" cal | 3 |
| NATIVE SHRUBS: | | | | |
| SS | Clethra alnifolia | Summersweet | 4-5' ht | 16 |
| CS | Cornus amomum | Silky Dogwood | 2-3' ht | 16 |
| IG | Ilex glabra | Inkberry | 4-5' ht | 26 |
| MP | Myrica pensylvanica | Bayberry | 4-5' ht | 17 |
| AM | Aronia melanocarpa | Black Chokeberry | 2-3' ht | 14 |
| VH | Vaccinium corymbosum | Highbush Blueberry | 2-3' ht | 11 |
| LB | Lindera benzoin | Spice Bush | 2-3' ht | 17 |
| NATIVE WILDFLOWERS AND GRASSES: | | | | |
| CCG | Thalictrum dioicum | Early Meadow Rue | #1 | 19 |
| PPS | Aquilegia canadensis | Columbine | #1 | 10 |
| JPW | Eutrochium maculatum | Joe Pye weed | #1 | 15 |
| SPP | Viola pedata | Violet | #1 | 11 |
| APW | Anemone canadensis | Canada Anemone | #1 | 15 |
| JCC | Sisyrinchium angustifolium | Blue Eyed Grass | #1 | 9 |
| AB | Eupatorium perfoliatum | American boneset | #1 | 8 |
| WVA | Eurybia divaricata | white wood aster | #1 | 7 |
| HMR | Hibiscus moscheutos | Rose Mallow | #1 | 10 |
| BF | Iris versicolor | Blue Flag | #1 | 12 |
| ANA | Aster nova-angliae | New England Aster | #1 | 15 |
| PVS | Panicum virgatum | Switchgrass | #1 | 12 |
| CPP | Carex pensylvanica | Pennsylvania Sedge | #1 | 8 |
| SNI | Sorghastrum nutans | Indian Grass | #1 | 16 |
| NAT | Native Grass/Forb Mixture | NE Conservation Mix | - | 649 SF |

Outside 100 Feet Buffer Zone Plant List

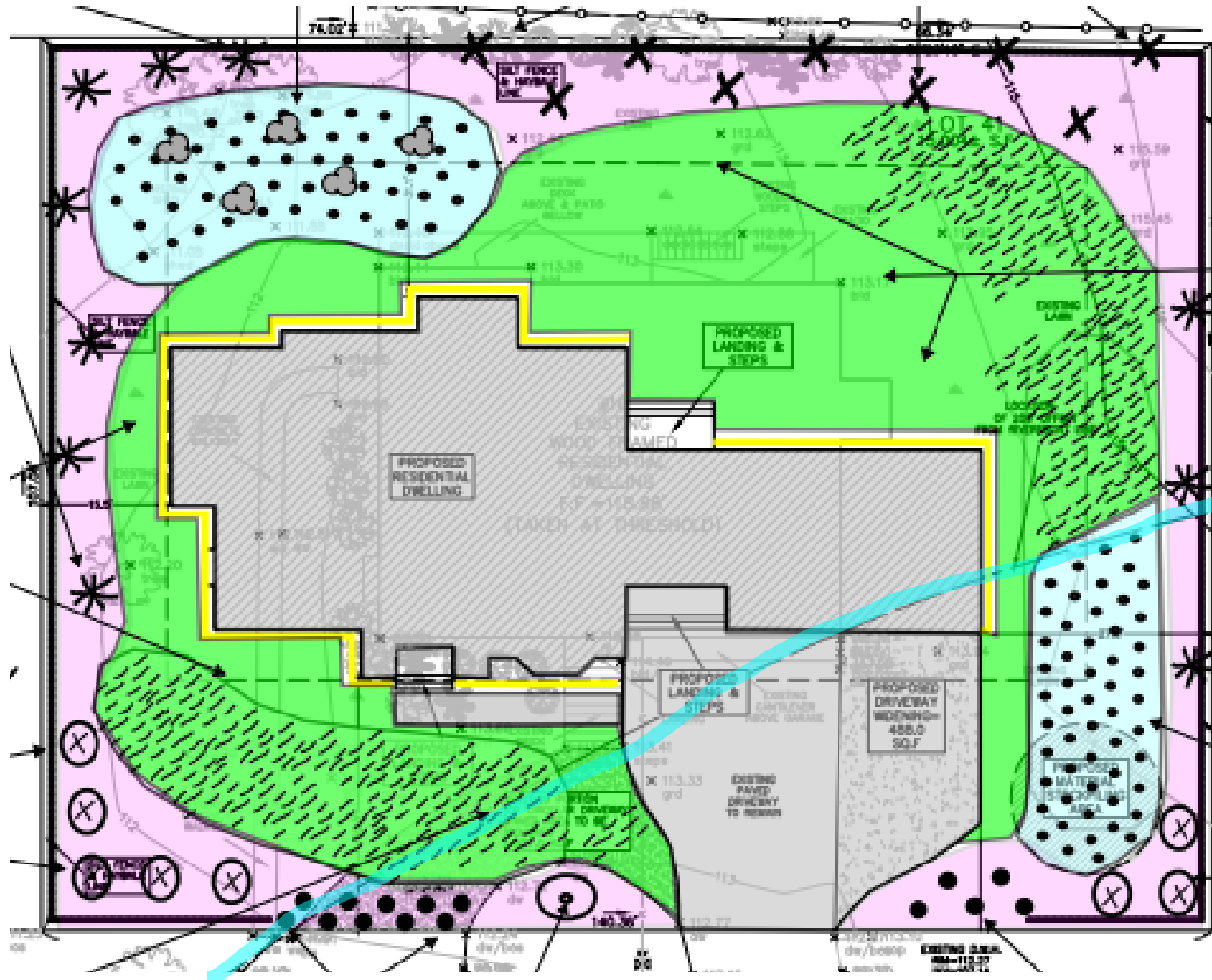
| KEY LATIN NAME | COMMON NAME | SIZE | SEASONAL ATTRIBUTES |
|--|----------------------|-------------------|--|
| TREES: | | | |
| CF | Cornus florida | flowering dogwood | 3'-4' 1 Flowering Tree |
| NATIVE SHRUBS: | | | |
| IG | Ilex glabra | Inkberry | 2-3' 19 Evergreen foliage, cover for birds |
| NATIVE WILDFLOWERS AND GRASSES: | | | |
| CCG | Thalictrum dioicum | Early Meadow Rue | #1 9 Flowers April May |
| PPS | Aquilegia canadensis | Columbine | #1 9 Flowers April May June |
| APW | Anemone canadensis | Canada Anemone | #1 11 Flowers May June |

80.00'
5'09'01"W

Concrete Sidewalk

39.35' S45°09'01"W

16 Grace Rd. Approved Plan



200'
RFA

CONSERVATION COMMISSION MINUTES

Date: Thursday, Aug 17, 2023

Time: 7:00 – 9:15 pm

Place: This meeting was held as a virtual meeting via Zoom.

With a quorum present, the meeting opened at 7:00 pm with Kathy Cade presiding as Chair.

Members Present: Kathy Cade, Ellen Katz, Judy Hepburn, Jeff Zabel, Sonya McKnight (Associate Member)

Members Absent: Dan Green (Chair), Susan Lunin (Vice-Chair), Leigh Gilligan

Staff present: Jennifer Steel, Ellen Menounos

Members of the Public: not recorded due to remote nature of the meeting

DECISIONS

A. WETLANDS DECISIONS

1. 27 Cross St – Request for an Amended Order of Conditions – minor project revisions related to parking and building location – DEP #239-0939

- Owner/Applicant. Gabriel Askarinam
- Representatives. Chris Lucas (Lucas Environmental), Jack Groper (Trio Development), Oliver Guzman
- Request: Issue an amended OOC
- Project Summary:
 - An amendment is necessary to address the addition of 2 parking spaces, required by Zoning (reliance on street parking is not allowed, and every unit must have 2 stalls).
 - The proposal reduces the amount of new impervious area on the site by 22 sf to a net of 1,741 sf.
 - New flood storage capacity will be 329 cf less than the 3,041 cf originally proposed for a net of 2,712 cf.
 - This proposal will expand the originally proposed permanently bounded mitigation planting area by roughly 160 sf to 3,760 sf and will add one additional red maple sapling.
 - The house structure will be shifted 3 feet closer to the stream (it was originally due to be 31.9 ft and is now due to be 28.1 ft from the stream at the closest point).
- Documents in packets. Highlighted plans
- Additional documents presented at meeting. Site photos
- Jurisdiction. Riverfront Area FEMA Flood Zone, City Flood Zone
- Presentation (Staff) and Discussion.
 - Staff summarized the revised plans and noted that their questions had been addressed by the applicant team.
 - Staff noted that the request seems simple, essentially creating a driveway where a walkway had been, and shifting the house 3 feet closer to the stream to accommodate that change and that these changes had little chance of fundamentally altering the functions and values of the Riverfront Area and Flood Zone.
 - The applicants clarified that the proposed structure, although 3 feet closer to the stream than originally proposed, is still further from the stream than the existing single-family structure.
 - Commissioners noted the imperative of having fully conceived and vetted plans prior to filing.
- Vote to close the hearing and issue an Amended Order of Conditions with the following amendments and 2 new conditions. [Motion: Katz, Second: Zabel, Roll-call vote: Cade (aye), Katz (aye), Hepburn (aye), Zabel (aye). Vote: 4:0:0.]
 - Plan changes were made to comply with the zoning requirement to provide a total of 4 parking stalls.
 - The “side” walkway has been replaced by a 12-foot-wide driveway and the driveway opening has been widened.
 - The house has been shifted 3 feet closer to the stream (it is now due to be 28.1 ft at the closest point).



Mayor
Ruthanne Fuller

**Director
Planning &
Development**
Barney Heath

**Chief
Environmental
Planner**
Jennifer Steel

**Assistant
Environmental
Planner**
Ellen Menounos

**Conservation
Commission
Members**
Kathy Cade
Dan Green
Judy Hepburn
Ellen Katz
Susan Lunin
Jeff Zabel
Leigh Gilligan

**Associate
Member**
Sonya McKnight

**Contact
Information**
1000 Comm. Ave.
Newton, MA 02459

T 617/796-1120
F 617/796-1142

www.newtonma.gov

jsteel@newtonma.gov

- The new plans reduce the amount of new impervious area by 22 sf.
- The new plans reduce flood storage capacity by 329 cf.
- The new plans expand the mitigation planting area by 160 sf and add one deciduous sapling.
- The new approved civil plans are those last revised on 8/14/2023.
- The new approved planting plan is that dated July 24, 2023.
- New condition: Due to inactivity on the site, a second “pre-construction” site visit is required to check the recording, DEP file number sign, erosion controls, new plan, etc.
- New condition: Knotweed pervades the rear of the site and must be treated at the beginning of construction and diligently thereafter so that the requisite planting can occur in a timely manner.

2. 580 Walnut St – NOI – pool and accessories – DEP #239-0962

- Owner/Applicant. Gaurav Singal and Shikha Mangla
- Representatives. John Rockwood (Eco-Tec Inc.), Alan Aukeman (landscape architect)
- Request: Issue an OOC.
- Project Summary:
 - Remove wood patio, hot tub, part of a stone wall, mature arborvitae hedge, and shrubs.
 - Build a pool with hot tub, patio, sauna, and equipment area. Impervious area will increase by 888 sf.
 - Construct an additional 6-chamber infiltration system to address the increase in impervious area and drained pool water. Existing infiltration systems will remain.
 - Remove a 32” pine tree.
 - Plant 9 saplings (juniper and tupelo), 81 native shrubs, and 57 perennial plantings.
 - Remove all woody invasives from jurisdictional areas.
 - Monitor new plantings and report annually for 2 growing seasons.
 - The proposed changes inside the 25’ Naturally Vegetated Buffer Zone include: reducing lawn area, adding native plants, adding stepping-stones, and relocating some fence posts to ensure that all fencing is on private property.
 - Concrete washout will occur near the street.
- Documents in packets. Highlighted plans
- Additional documents presented at meeting. Site photos
- Jurisdiction. Buffer Zone
- Presentation (Staff) and Discussion.
 - Staff summarized the project and showed site plans and site photos.
 - Two years ago, this lot received a Certificate of Compliance for the expansion of the rear patio area and mitigation plantings around the perimeter. Most of those plantings have thrived, but the beds nearest to Bullough’s Pond have some areas of sparse vegetation that are proposed to be altered for the pool and augmented with additional plants.
 - The new work is proposed within the 100’ BZ, and the major project components (systems and structures) are more than 50’ from the bank of the Bullough’s Pond. Pools more than 50 feet from the wetland are exempt, but the grading, tree cutting, etc. are not exempt.
 - Additional/current soil testing within 25’ of the proposed infiltration system may be necessary for Engineering’s review.
 - Staff noted that the two existing infiltration systems should be protected during construction with plywood over mulch (not stone).
 - Staff noted that given the anticipated scale of excavation for the infiltration system and the pool, entrenched silt fence should be required.
 - Staff noted that the concrete washout should be 4-sided and that no wash-water should enter the City storm drainage system.
 - Staff noted that all large burning bush (winged Euonymus) should be removed. J. Rockwood assured the Commission that all invasive species would be removed from the planting beds.
 - Katz noted that the Eastern red cedar identified in the plans is susceptible to Cedar Apple Rust and asked the applicant to use a diversity of evergreens instead.
 - Kathleen Kouril Grieser spoke on behalf of the Bullough’s Pond Association, asking that the matter be delayed until after the Association’s September meeting. She was concerned about increasing lot coverage over the years. She asked that the pool be reoriented to be further from the pond. She also asked that the fence near the pond edge be painted green since white is very visible.
 - Councilor Malakie also asked for a delay in the proceedings. She noted past problems with the removal of a 32’ tree on the site.

- Hepburn asked if it would be appropriate to delay until all 7 members of the Commission were present. Chair Cade noted that the Commission is responsible for responding timely to applications under the Wetlands Protection Act and felt that the missing members would feel it appropriate to determine if sufficient information had been received, and if so, to proceed with deliberation and a vote. She noted that some residents didn't like the proposal, but that it did not exceed the regulations. Zabel noted that no abutters had submitted complaints.
- Councilor Norton offered to assist with developing a local wetlands bylaw to provide greater control over development.
- Vote to close the hearing and issue an Order of Conditions with Findings and the following Special Conditions. [Motion: Katz, Second: Zabel, Roll-call vote: Cade (aye), Katz (aye), Hepburn (no), Zabel (aye). Vote: 3:1:0.]
 - Erosion controls that run parallel Bullough's Pond shall be entrenched staked silt fence and shall be installed at the proposed edge of lawn, to allow the planting area to be filled appropriately.
 - Erosion controls that run along the northern property boundary shall be entrenched staked silt fence, to ensure proper sediment control in the vicinity of the swimming pool.
 - ¾-inch or thicker plywood and at least 4 inches of mulch shall be laid over the infiltration systems prior to and during the passage of heavy equipment.
 - No concrete washwater may enter the City's storm drainage system or Bullough's Pond.
 - Use of herbicides shall be limited to blotting cut stems (no foliar sprays shall be employed).
 - All invasive plants in the 100-foot buffer zone shall be removed from the property and disposed of properly.
 - Exterior lighting shall be "dark sky" compliant, i.e., shielded to prevent "up lighting" and "backlighting", focused, and directed.
 - Buffer Zone plantings must:
 - a. Be installed in compliance with the approved plans (desired changes must be approved by the Conservation office in advance) and in such a layout as to fill the designated area.
 - b. Be installed in such a manner as to replicate to the maximum extent practical a diverse ecological system, provide habitat for native species. Plants must be installed just below grade (not in elevated mounds) to maximize water retention and result in natural grades.
 - c. Be installed under the direction of a qualified consultant to ensure proper installation, proper placement, and appropriate and even filling of the entire mitigation area.
 - d. Include 9 native trees 100 % of which are well-established and thriving after 2 growing seasons
 - e. Include 81 native shrubs 80 % of which are well-established and thriving after 2 growing seasons
 - f. Include 57 native perennials with 75 % survival that is well-established and thriving after 2 growing seasons
 - g. Include organic leaf-litter mulch to minimize erosion and aggressive weed growth but shall not impede spread of groundcover. Mulch applications shall diminish over time and eventually cease as ground cover species and shrubs spread.
 - h. Stabilize all disturbed areas.
 - i. Be bounded with a minimum of 4 bounds that: (1) are 4"x4"x36" stone or concrete posts, (2) have instructive language regarding the required protection, and (3) have at least 6" maintained above grade.
 - j. Be maintained in such a manner as to replicate to the maximum extent practical a diverse ecological system and provide habitat for native species.
 - k. Be managed to control/minimize invasive species for the life of this permit. If herbicides are used, manufacturer's recommended directions must be followed.
 - l. Be monitored for two growing seasons; send descriptive season-end monitoring reports (with photographs) sent to the Conservation Office.
 - The stormwater infiltration system must be installed as per the approved plans.
 - To protect the water quality of area wetlands, fertilizers shall be of low-nitrogen content and be used in moderation
 - To protect the full suite of benefits of area wetlands, wildlife, and native insects and pollinators, no pesticides shall be used.
 - To protect wetland wildlife, exterior lighting shall:
 - a. be "dark sky" compliant -- i.e., shielded to prevent any "up lighting" and "backlighting", focused, and directed so as not to illuminate any part of the wetland.
 - b. have limited blue content to decrease skyglow and disruption of diurnal animals
 - c. be switched off when not in active use
 - d. not exceed the illumination shown on the approved photometric plan sheet.

3. 191 Dedham St. Countryside School – Informal Discussion – Pending New School Construction

- Owner/Applicant. City of Newton (Josh Morse, Alex Valcarce)
- Representatives.
 - Owner's Project Manager: Dore & Whittier Management Partners (Anne Davis Woodacre)
 - Architect: DiNisco Design
 - Civil Engineer & Wetland Scientist: Horsley Witten Group, Inc. (Amy Ball, Steve Stanish, and Steve Brown)
 - Landscape Architect: Brown Sardina, Inc.
- Request: Provide preliminary input regarding the likelihood of the project to support the Site Plan Approval process.
- Project Summary:
 - A new Countryside Elementary School will be constructed on the current site while the existing school remains operational.
 - The new school will be a 3-story, approximately 75,500 sf building with a footprint of approximately 32,300 sf
 - Site Improvements will include a new porous asphalt parking lot & driveway, an asphalt play area, a permeable rubber play surface with play structures, a basketball court, a softball field, a pollinator garden, and outdoor learning spaces.
 - Plant material in jurisdictional areas is to be from a native plant list.
 - The stormwater system shall be designed to fully comply with the Massachusetts Stormwater Regulations and the Stormwater Management Ordinance No. Z-45 30-5(c).
- Anticipated Permitting Milestones
 - Mid-September 2023 – Newton Engineering review of site plan design & stormwater report.
 - October 2023 – Complete Schematic Design.
 - Late October 2023 – DRC to approve project submittal for Site Plan Approval.
 - January 2024 – Site Plan Approval.
- Additional documents presented at meeting. PowerPoint by applicant
- Jurisdiction: FEMA Flood Zone, City Flood Zone, Riverfront Area, BVW, Buffer Zone, Land Under Wetlands and Waterways, and inland Bank. The majority of the site is within FEMA Flood Zone AE (el. 112.4' NAVD88) in both the effective (June 4, 2010) and preliminary (August 13, 2021) flood insurance studies. Many other performance standards will need to be met.
- Presentation (PowerPoint by Applicant) and Discussion.
 - The applicant team provided a brief PowerPoint presentation with site plan sketches and elevations of the proposed project. The project is at 75% design.
 - There have been early community meetings and lots of communication with residents, parents, abutters, etc.
 - The new school will be larger than the current school and will accommodate 465 students since the Countryside student population is due to continue increase, in part because of the Northland development.
 - The design places the building at the high point of the site, out of flood elevation (the current building is well below the flood elevation).
 - The site will be fully resilient to flood events. In the new design, the parking lot and playground are designed to flood temporarily during extreme rain events then drain and infiltrate.
 - Great effort has been made to preserve mature trees, and a robust planting plan is envisioned. 130 inches of trees will be cut and replaced. The plan includes pollinator gardens and other planting areas.
 - The project will be designed to not diminish flood storage capacity on the site and to not make flooding any worse on any properties outside of the site – flood storage capacity will be increased and adjacent flooding will be addressed with improved stormwater management and stream improvements.
 - The construction of the new school while the old school is still operational will allow the current stormwater system to remain operational while the new stormwater system is installed and made operational.
 - The intention is to begin construction in the summer of 2025 and complete it by the summer of 2027.
- Staff and Commissioner Comments.
 - It was noted that the Commission does not determine the siting of a proposed project or address prior feasibility studies, rather, they determine compliance with state and local regulations and seek to promote ecologically sound development.
 - The new Stormwater Ordinance and pending new Flood Ordinance were mentioned.
 - The importance of more consistent stream cleaning was noted.
 - Staff noted that the intermittent stream along the north side of the property should be considered and opportunity for improvement of flow and flood storage and should not be considered a "no touch" area.

- Public Comment.
 - Councilor Malakie noted the ever-increasing projections for extreme rain events and consequent flooding. She noted the recent flooding at the Newton Library parking lot and warned that the plans seemed to indicate that that would happen at the new Countryside School.
 - Councilor Norton noted her concern that extreme weather events were increasing and yet the City was building within the Flood Zone. She stated that she had been told by Engineering that the Conservation Commission is responsible for seeing that flooding is prevented throughout the City of Newton. (That is not actually supported by statute or regulation.)

B. CONSERVATION AREA DECISIONS – none at this time

C. ADMINISTRATIVE DECISIONS

4. Minutes to be approved

- Documents in packets. Draft 7/27/2023 minutes
- Vote to approve the 7/27/2023 minutes. [Motion: Katz, Second: Zabel, Roll-call vote: Cade (aye), Katz (aye), Hepburn (aye), Zabel (aye). Vote: 4:0:0.]
- Volunteer. Zabel volunteered to review the 8/17/2023 minutes.

D. ISSUES AROUND TOWN DECISIONS – none at this time

UPDATES

E. WETLANDS UPDATES

- Staff noted that with regard to matters that come before the Commission (or are pending), Commissioners should feel free to speak as either a regulator or an advocate, as long as it is clear that s/he is speaking as an individual and as long as it is clear which “hat” is being worn (advocate or impartial implementer of laws and regulations). Chapter 40: Section 8C. “Conservation commission; establishment; powers and duties” states: “A city or town which accepts this section may establish a conservation commission, hereinafter called the commission, for the promotion and development of the natural resources and for the protection of watershed resources of said city or town...”

F. CONSERVATION AREA UPDATES – none at this time

G. ADMINISTRATIVE UPDATES

- Committee Liaison Updates
 - Farm Commission (Zabel) – Sue Bottino is stepping down. After the recent theft of lots of plants, the greenhouses are now locked.

H. ISSUES AROUND TOWN UPDATES – none at this time

OTHER TOPICS NOT REASONABLY ANTICIPATED BY THE CHAIR 48 HOURS BEFORE THE MEETING

- Staff noted the interest in elevating the Conservation Commission’s profile in the City and thanked Chair Cade and the others for helping in that regard by maintaining professionalism, even in the face of challenging discussions. She also noted the need to recruit new members. Zabel noted the need to recruit younger members. Staff noted the value in rotating the Chair to help keep all members fully engaged.

ADJOURN at 9:15 [Motion: Katz, Second: Zabel, Roll-call vote: Cade (aye), Katz (aye), Hepburn (aye), Zabel (aye). Vote: 4:0:0.]



Flowed Meadow Conservation Area



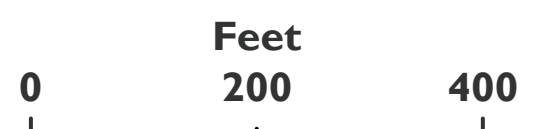
Accessibility and general info here



- Natural Trail
- Generally Accessible Trail
- Intersections
- Bog Bridge

- Accessible Parking
- Parking Lot
- Bench
- Hilltop
- Picnic Areas

- Newton Conservation Land
- Other Open Space
- Open Space in Other Towns



STAY ON TRAIL



NO BICYCLING



LEASH DOGS



REMOVE DOG WASTE



Auburndale Yard Conservation Area



Accessibility and general info here



- Newton Conservation Land
- Other Open Space



Feet
0 50 100

**This nature reserve has been preserved for its ecological value.
No trails have been established.**