

CITY OF NEWTON

IN BOARD OF ALDERMEN

ZONING & PLANNING COMMITTEE REPORT

NON BUDGET

MONDAY, MAY 11, 2015

Present: Ald. Johnson (Chairman), Danberg, Leary, Yates and Baker (by phone)

Absent: Ald. Hess-Mahan, Sangiolo and Kalis

Also Present: Ald. Laredo, Albright and Crossley

Planning & Development Board Present: Peter Doeringer, Roger Wyner, John Gelcich, James Freas

City Staff Present: James Freas (Acting Director, Planning & Development), Alice Ingerson (Community Preservation Program Manager), Bob Waddick, Marie Lawlor and Maura O'Keefe (Assistant City Solicitors), Jennifer Steel (Senior Environmental Planner), Karyn Dean (Committee Clerk)

Clerk's Note: Ald. Baker called into the meeting as he was out of town. This allowed him to participate in the discussions, but he was not permitted to vote on any items because the Board of Aldermen had previously voted not to accept remote participation.

Re-appointment by His Honor the Mayor

#80-15 VINCENT FARINA, 24 Manemet Road, Newton Centre, re-appointed as a member of the ZONING BOARD OF APPEALS for a term to expire September 1, 2017 (60 days 6/5/15)

ACTION: **APPROVED 4-0**

NOTE: Mr. Farina joined the Committee and explained that he is a lifelong Newton resident and has been involved in political activities for quite a while. He has enjoyed being a member of the Zoning Board of Appeals (ZBA) and feels he has been straightforward and fair in matters that have come before the ZBA.

Ald. Yates asked Mr. Farina if he would be comfortable invoking the claim that the City had reached the 1.5% of developable land goal for affordable housing in 40B matters, going forward, and he said he would. Mr. Farina noted that the ZBA had a meeting with counsel when the 1.5% decree was released. They were informed of how it might impact the responsibilities and authority of the ZBA and 40B developments. He believes reaching this goal gives the ZBA an opportunity to look at 40B projects with more flexibility.

The Committee was impressed with Mr. Farina's credentials and experience and thanked him for continuing to serve. Ald. Danberg moved to approve Mr. Farina's appointment and the Committee voted in favor.

#97-15 HIS HONOR THE MAYOR requesting Board of Aldermen approval of a conservation restriction for the Waban Hill Reservoir property located in Chestnut Hill, pursuant to the provision of Chapter 153 of the Acts of 2013, as a condition of sale to the City. [04/13/15 @ 11:32AM]

ACTION: **APPROVED 4-0**

NOTE: Bob Waddick, Assistant City Solicitor joined the Committee. He explained that the Waban Hill Reservoir acquisition requires a conservation restriction in order to be completed. It has been negotiated with the Newton Conservators and there is agreement on the language of the restriction. Preliminary approval has been granted by the Executive Office of Energy and Environmental Affairs, which is a requirement. Their final approval will be granted after the Board of Aldermen approves the conservation restriction and the Mayor has signed it. Final approval is expected and he foresees no issue with this.

It was asked if this was a similar conservation restriction to that which is held on the Commonwealth Golf Course. Mr. Waddick said the effect is very similar, but the language is a bit different as that was written several years ago. The Law Department has followed the conservation restriction language that is now promulgated by the state. A few years ago, the Town of Brookline made a similar acquisition and the language is almost exactly the same as what is being used for Waban Hill, which is the state-recommended model.

Ald. Yates moved approval and the Committee voted in favor.

#128-13 ALD. ALBRIGHT, FULLER, CROSSLEY, LAREDO requesting the creation a comprehensive, 10-year strategic plan for Newton's conservation lands which would include a multi-year prioritized list of short-term and long-term projects with appropriate estimated budget. This plan should be finished in time to include high priority item(s) in the FY15 Budget, with any project exceeding \$75,000 added to the Capital Improvement Plan. [03/15/13 @ 10:56 AM]

ACTION: **NO ACTION NECESSARY 4-0**

NOTE: Jennifer Steel, Senior Environmental Planner, joined the Committee. She provided one-page management plan summaries for 20 conservation areas. She also presented a PowerPoint, and both are attached to this report.

Ald. Laredo, co-docketer of the item, explained that the goal of this item was to determine what capital needs there might be for Newton's conservation lands and how those needs might be budgeted and met. Ms. Steel said there are two things to consider: annual maintenance; and special project management. The summaries show the identified needs at this time, but new concerns and interests can arise and she is becoming more aware of projects that might need to be addressed. Right now, there are no projects that are above \$75K and therefore, none are listed in the CIP. Since these are conservation lands, they are no buildings or other infrastructure to maintain or build, so the costs stay below the CIP threshold. They might look at building a boardwalk at some point at Flowed Meadows, or elsewhere, and that may rise to a \$75K level, but that remains to be seen.

Ms. Steel explained that land management had not been a priority for the Conservation Commission for a number of years. She was very interested in re-invigorating that effort when she came on board and spent her first months identifying what the City owned, what condition the sites were in and what the baseline needs for daily use were. After that, identification of structural improvements had to be tackled, and then overall visioning pursued.

She will be doing a public outreach program at the library on June 18 and she hopes to solicit volunteers to be land stewards. Her goal is to develop a robust, coordinated community of interested volunteers to be her eyes and ears on the ground, as well as assist with the visioning of what could be developed for the future. The Conservation Management Plan is a dynamic document that will continue to change and grow.

James Freas, Acting Director of Planning, said the plan for next year is to identify, along with the Conservation Commission, any projects that might need to be addressed. They will then determine a budget and request those funds. Currently, a flat appropriation of \$25K is given for work each year without any type of earmarking or adjustment. Outcome based budgeting is the model they will be following, going forward.

Ms. Steel noted that maintenance and special projects are funded through several sources: the Commonwealth Golf fund (annual land maintenance by a landscaper); the city budget (historically \$25K a year); Marriott Funds (a one-time fund of \$18K-\$20K earmarked for Norumbega improvements); and volunteers (Eagle Scouts, Newton Serves, etc.) Mr. Freas explained that extra parking meter revenue money of \$23K was added to the FY15 budget. Ald. Johnson did not see that revenue indicated in the budget book. Mr. Freas said he would ask Maureen Lemieux how that is moved forward for FY16. Ald. Johnson would like an accurate accounting of that money to be reflected in the budget.

Committee Questions/Comments

It was asked if the boardwalk at Dolan Pond would be replaced with newer materials since it is currently made of pressure-treated lumber. Ms. Steel said they have been making repairs to what is already there. When the Eagle Scout volunteers come in to do boardwalks, the newer, inert materials will be used.

Ms. Steel noted that she has a statutory obligation to deal with wetland permit applications as they come in and they have to be acted on without a certain amount of time. She understands how the land management aspect of the job has slipped in the past because there are only so many hours in a day. The money is available to get signs made as well as some other projects, but she has not had the time to get them out of the door. Many things are moving forward, but the resource of time is the most lacking.

Ald. Danberg asked about public access to golf courses, under Chapter 61B. The golf courses receive a 75% tax reduction from the City and she wondered what the citizens of the City receive in turn for that. Marie Lawlor, Assistant City Solicitor, replied that the private golf courses are for-profit organizations and do not fall under this requirement as a non-profit golf course would.

A for-profit organization can limit access to their members. She will check on this for clarification.

A Committee member asked what could be done to improve on the encroachment issues from neighbors of the conservation lands. Yard waste is being disposed of there and it shouldn't be. Ms. Steel said, John Mennard, the landscaper used for maintenance, walks the conservation lands and does 1-4 clean-ups each year based on a matrix of factors. He has been an excellent resource for keeping an eye on encroachment. Site visit summary forms are on the website and people can report back using this form. She hopes the library talk will help solicit a corp of volunteers to be land stewards and report back using the forms. With that information, she can initiate her protocol to deal with encroachments. She has in fact taught a course on it as well.

Money for trail marking has been added to the budget. The trailhead signs, plastic diamond markers and blazing paint, along with intersection markers in some areas will go a long way to helping people find their way around trails. On the signs, they will have QR codes which will allow maps to be pulled up on smart phones, as well. Ms. Steel said the boy scouts have helped in this effort and she is looking into the BC Cross Country team to help as well.

Ald. Albright asked if there might be an opportunity for off-leash dogs on any of the trails. Twenty-five percent of Newton residents are dog owners. Ms. Steel said the individual dog owner with one dog isn't usually the problem. The commercial dog walkers, however, come with 6-16 dogs and there are issues of control, pet waste and general ambiance problems. It also becomes an ecological problem for species living there.

Ald. Johnson would like to understand the funds available for the work to be done and what the priorities are in time for the Committee of the Whole budget discussions. A one page summary would be fine.

Ald. Laredo, Albright and Crossley felt Ms. Steel answered the questions they had and found the presentation very informative. They were comfortable with voting this item No Action Necessary and the Committee voted as such.

#23-15 ACTING DIRECTOR OF PLANNING & DEVELOPMENT requesting amendments to the official zoning map in order to correct discrepancies between Board of Aldermen actions and the boundaries of zoning districts as shown on the map and to better align zoning district boundaries with property lines and other features to reduce the number of split lots and other map anomalies. [01/09/15 @ 10:09AM]

ACTION: **HELD 4-0**

NOTE: The Committee agreed to move this item to public hearing, which will be scheduled for June 8, 2015. The item was held.

Public Hearing continued on the following item:

#376-14 PLANNING & DEVELOPMENT DEPARTMENT requesting that **Chapter 30 ZONING** be deleted in its entirety and replaced with the Zoning Reform Phase 1 Zoning Ordinance. [10/22/14 @ 7:48PM]

ACTION: **APPROVED 3-0-1 as amended to correct typographical and other minor errors (Ald. Yates abstaining); HEARING CLOSED**

NOTE: An updated version of the draft ordinance was distributed to the Committee in their Friday packet and was posted online. It can be found at <http://www.newtonma.gov/civicax/filebank/documents/66152>

- Mr. Freas is recommending that the adoption of this ordinance be effective July 1, 2015. It will allow time to make corrections to the official zoning map and coincide with the new fiscal year.
- All future amendments will be presented to the Committee as they would appear in the final ordinance so that it can be reviewed in context with both text and format to be considered together.
- Also, over the course of a year, staff will maintain a list of minor corrections which will be presented to Zoning & Planning Committee for consideration at the end of each year in order to make any needed amendments. Consideration would be given to end-of-term years in order to make changes before an aldermanic term is up.

Mr. Freas explained that he and staff met with several members of the public and reviewed comments and questions. That invitation was made at the last Zoning & Planning Committee meeting. Those questions along with all that were brought up at the public hearing were addressed in the May 8, 2015 Planning Memo which was distributed in the Friday Packet, posted online and can be found attached to the agenda at <http://www.newtonma.gov/civicax/filebank/documents/66109/05-11-15%20Zoning%20&%20Planning%20Agenda%20and%20Planning%20Memo.pdf>

Ald. Baker emailed a memo which was distributed at the meeting, with some references that need to be clarified and corrected which is attached. It seems that many of these have already been addressed as Ald. Baker made notes based on an older version of the draft, but Mr. Freas will review to be completely sure and make corrections as necessary.

Ald. Johnson polled the Committee as to their preference to continue the hearing or close it and move forward to the full board with approval of this draft. Ald. Leary, Danberg and Johnson would like to vote this out and move on to the full board, while Ald. Yates and Baker would prefer to take more time. Ald. Johnson felt the document did need the small corrections as noted, but was largely ready to move forward. If there are any further notes, they can be sent to Mr. Freas before the end of the week as this would go to the full board on May 18th. Mr. Freas agreed and said he would be able to have the document ready in time for Friday. Technical amendments can also be made at any time. Ald. Baker agreed with moving forward.

Ald. Danberg moved approval with the provision that the typographical errors and legal discrepancies be addressed and corrected, as discussed.

The Planning & Development Board convened and reported back to Committee that they unanimously approved the draft ordinance with the corrections being made as recommended by Committee.

The Zoning & Planning Committee and the Planning & Development Board public hearings were closed.

#80-13 THE PLANNING DEPARTMENT requesting update discussions of the zoning reform project. [02/25/13 @ 12:31 PM]

ACTION: **HELD 4-0**

NOTE: This item will be held as a discussion item for Phase 2 of zoning reform.

The following items were voted No Action Necessary as they have been addressed and incorporated into the Draft Zoning Ordinance, Phase 1, as confirmed by Mr. Freas.

#154-10(2) ZONING AND PLANNING COMMITTEE requesting to amend **Section 30-1 Definitions** by inserting revised definitions for “lot line” and “structure” for clarity. [04-12-11 @ 11:34AM]

ACTION: **NO ACTION NECESSARY 4-0**

#154-10 ALD. JOHNSON, CROSSLEY and HESS-MAHAN requesting to amend **Section 30-1 Definitions**, by inserting a new definition of “lot area” and revising the “setback line” definition for clarity. [06/01/10 @ 9:25 PM]

ACTION: **NO ACTION NECESSARY 4-0**

#220-12 RECODIFICATION COMMITTEE recommending that the table in Sec. 30-8(b)(10)a be clarified with respect to “lot width,” “lot area,” or “lot frontage.”

ACTION: **NO ACTION NECESSARY 4-0**

#219-12 RECODIFICATION COMMITTEE recommending that Sec. 30-5(b)(4) as most recently amended by Ordinance Z-45, dated March 16, 2009, be amended to reconcile the apparent discrepancy relative to the definition of “structure.”

ACTION: **NO ACTION NECESSARY 4-0**

#218-12 RECODIFICATION COMMITTEE recommending that Sec. 30-19(g)(1) be amended to clarify “sideline” distance, which is a reference to an undefined concept.

ACTION: **NO ACTION NECESSARY 4-0**

#217-12 RECODIFICATION COMMITTEE recommending that Secs. 30-19(d)(1) and 30-19(g)(1) relative to the number of tandem parking stalls allowed in the side setback (two) and the number of tandem parking stalls (one) allowed in the setback for parking facilities containing less than five stalls be amended to make the both sections consistent.

ACTION: **NO ACTION NECESSARY 4-0**

#216-12 RECODIFICATION COMMITTEE recommending that the definition of “Space, usable open” in Sec. 30-1 be amended by removing the exemption for exterior tennis courts as they are now classified as structures.

ACTION: **NO ACTION NECESSARY 4-0**

#65-11(3) ZONING AND PLANNING COMMITTEE requesting that the terms “flat roof” and “sloped roof” be defined in the zoning ordinance.

ACTION: **NO ACTION NECESSARY 4-0**

Respectfully Submitted,

Marcia T. Johnson, Chairman

Newton's Conservation Land Management Plans

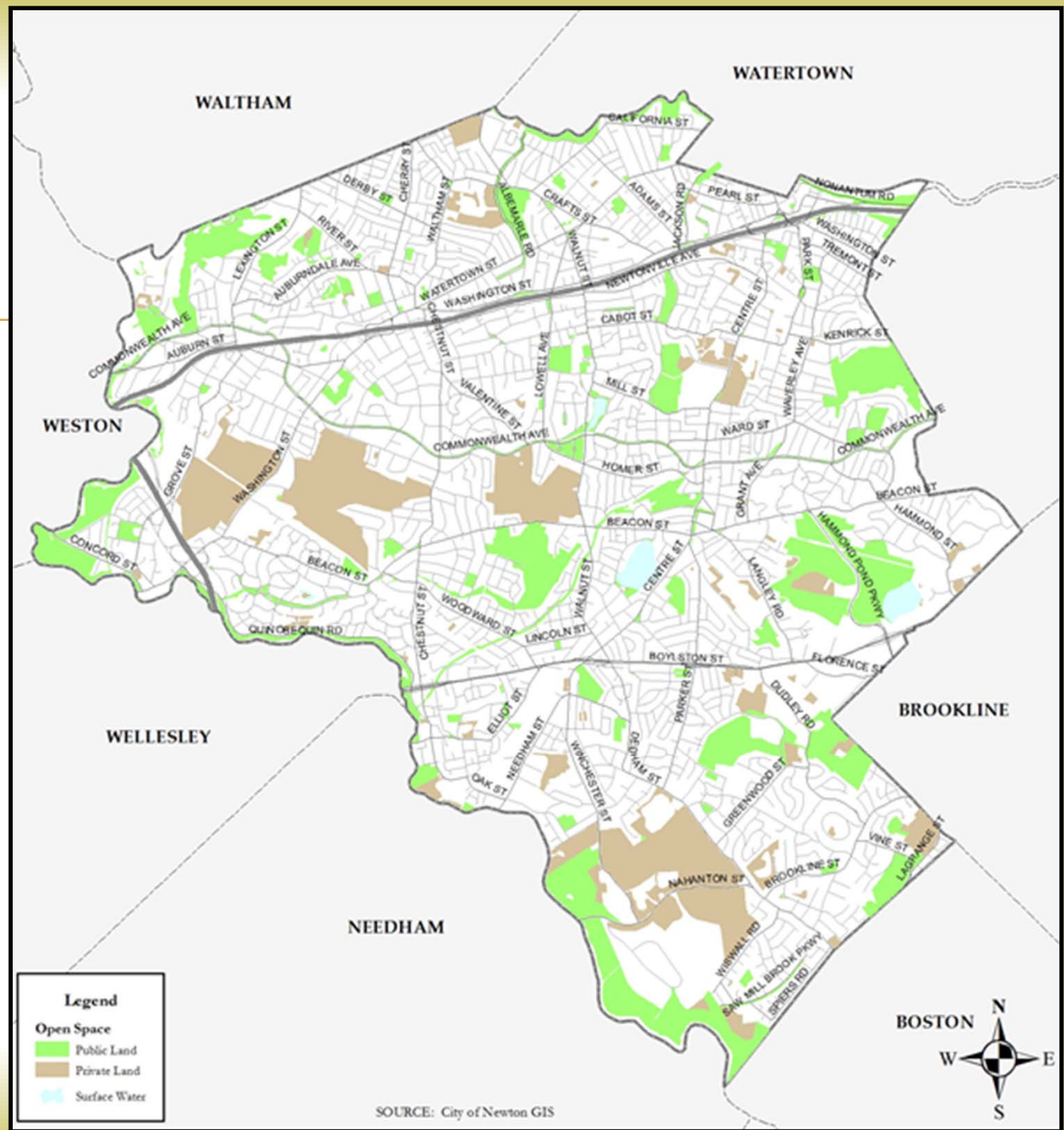


ZAP, May 11, 2015

Jennifer Steel, Senior Environmental Planner

Photo Credits: Dan Brody, www.newtonconservators.org

Open Space & Recreation Land in Newton



Open Space and Recreation Players in Newton



↻ Newton Parks & Rec., parks and playgrounds	516 acres
↻ Newton Conservation Com., 20 parcels	283 acres
↻ Newton "General Control" + Schools	68+119 acres
↻ Newton DPW, Cochituate Aqueduct	36 acres
↻ Newton Conservators, 3 parcels	3 acres
↻ Mass DCR, Land along Charles, Hammond, etc.	333 acres
↻ MWRA, Sudbury Aqueduct	21 acres
↻ Golf Courses (state and private)	over 542 acres
↻ Cemeteries (city and private)	over 119 acres
↻ Private property owners	294 acres

What Distinguishes Conservation Land from other Open Space in Newton?



Newton Conservation Commission

- ❧ Holds protected municipal open space in public trust
- ❧ For natural resource values and passive use
 - ❧ Human values: water supply, flood control, etc.
 - ❧ Ecological values: wildlife habitat, water quality, etc.
 - ❧ (trails, parking, boardwalks, benches, etc.)
- ❧ Through acquisition and limited management

Newton's Conservation Land

20 areas, 283 acres



"Biggies" with trails

Webster (104)
 Kennard (32)
 Sawmill Brook (32)
 Helen Heyn (30)
 Flowed Meadow (28)
 Norumbega (13)
 Houghton Gardens (10)
 Dolan Pond (9)
 Charles River Pathway (2)

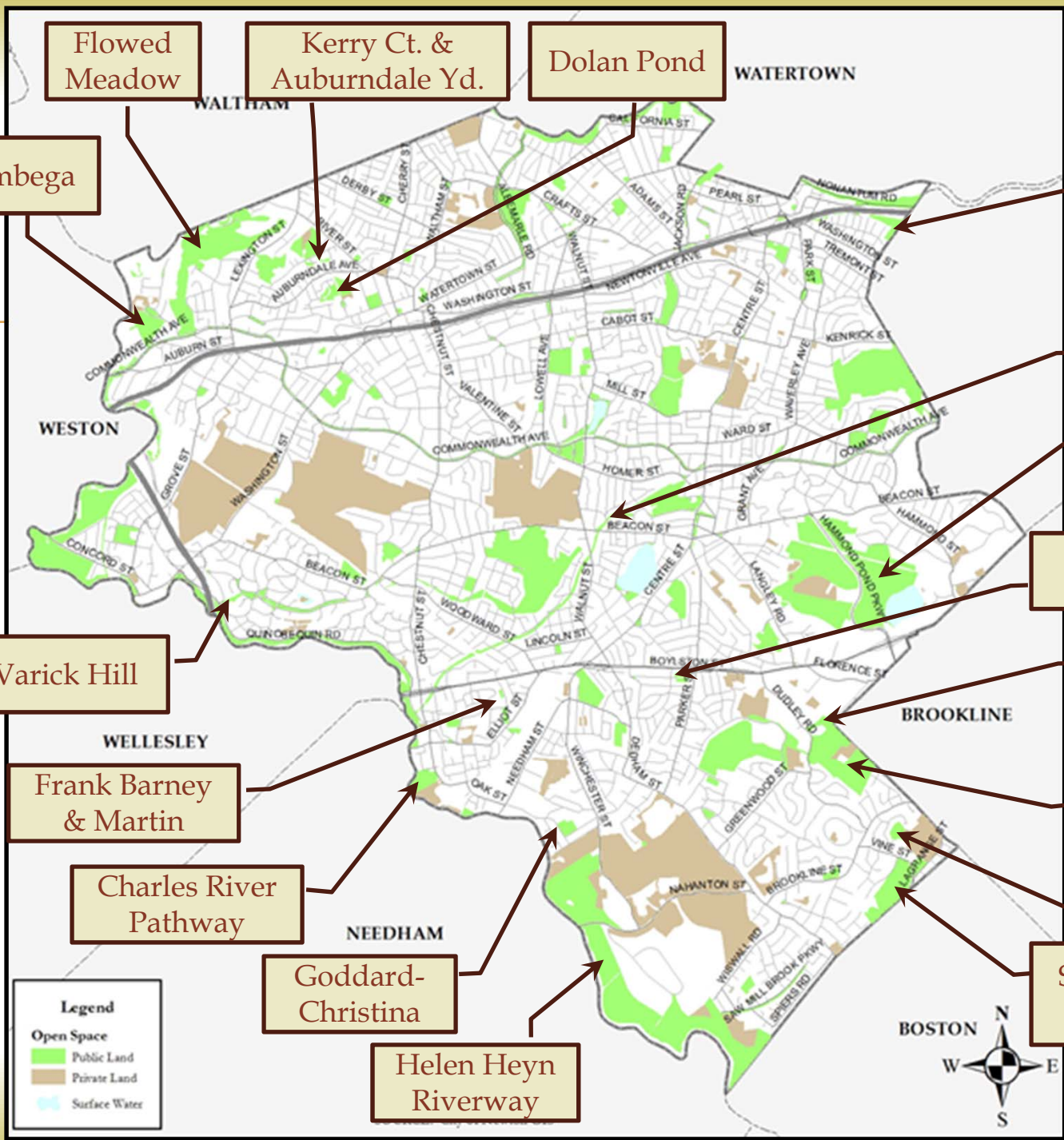
Others with trails

Oakdale Woods (3)
 Hunnewell (2)
 Frank Barney (2)
 Martin (1)
 Wilson (0.5)

Others without trails

Baldpate (5)
 Goddard-Christina (4)
 Hahn Brook (4)
 Auburndale Yard (2)
 Kerry Court (1)
 Varick Hill (0.2)

Cons. Land in Newton



Flowed Meadow

Kerry Ct. & Auburndale Yd.

Dolan Pond

Norumbega

Varick Hill

Frank Barney & Martin

Charles River Pathway

Goddard-Christina

Helen Heyn Riverway

Hunnewell

Wilson

Webster

Oakdale Woods

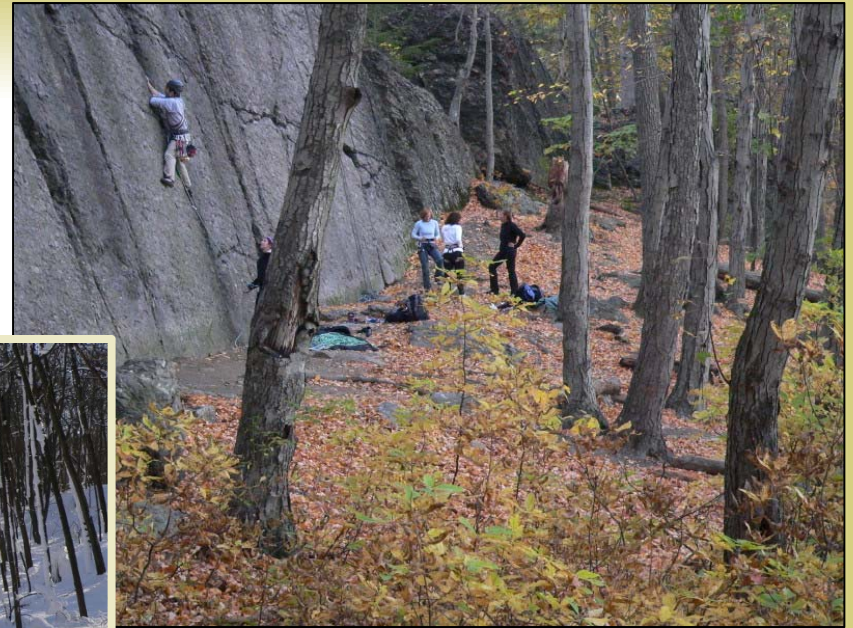
Hahn Brook

Kennard

Baldpate Meadow

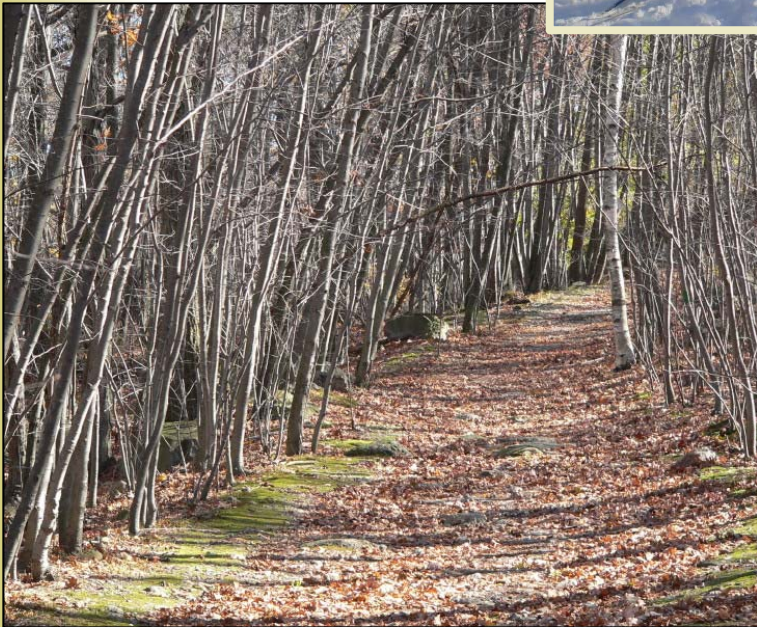
Sawmill Brook & Kessler

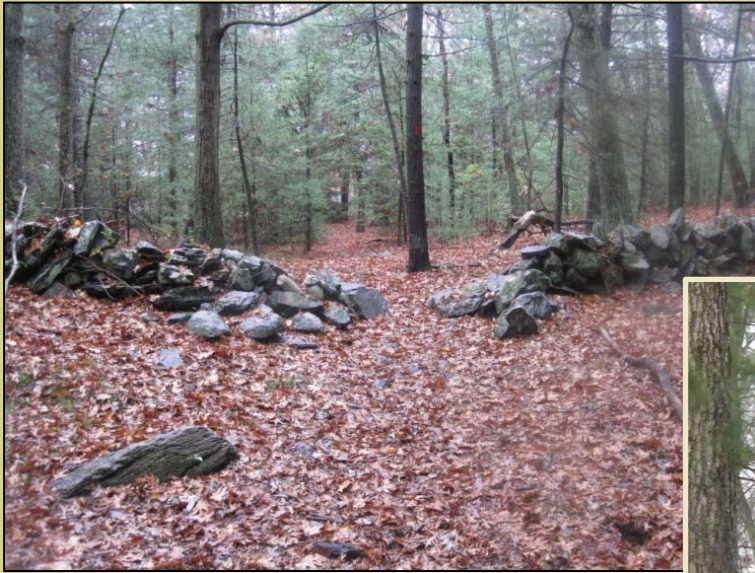




Webster

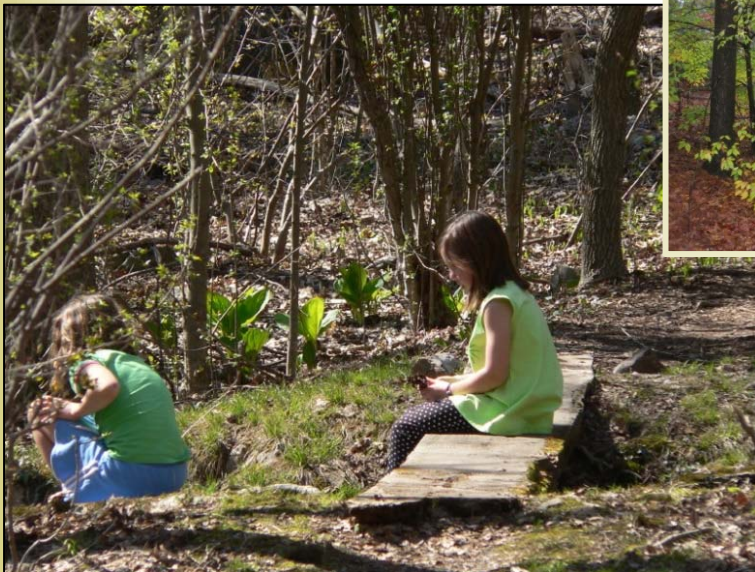
(and DCR land)





Kennard

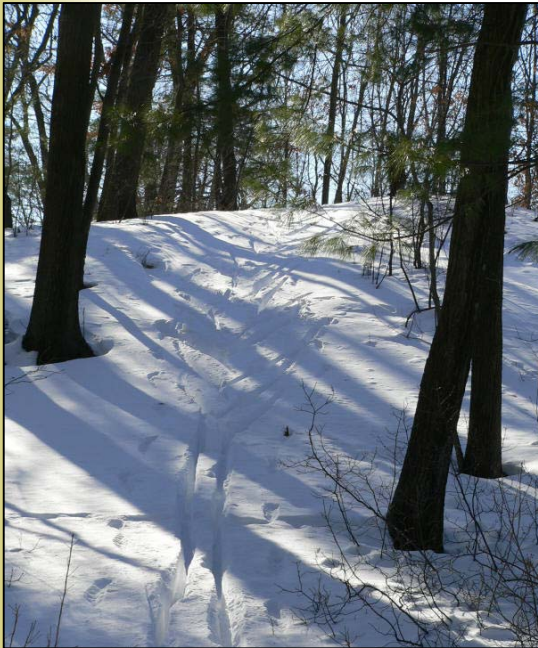
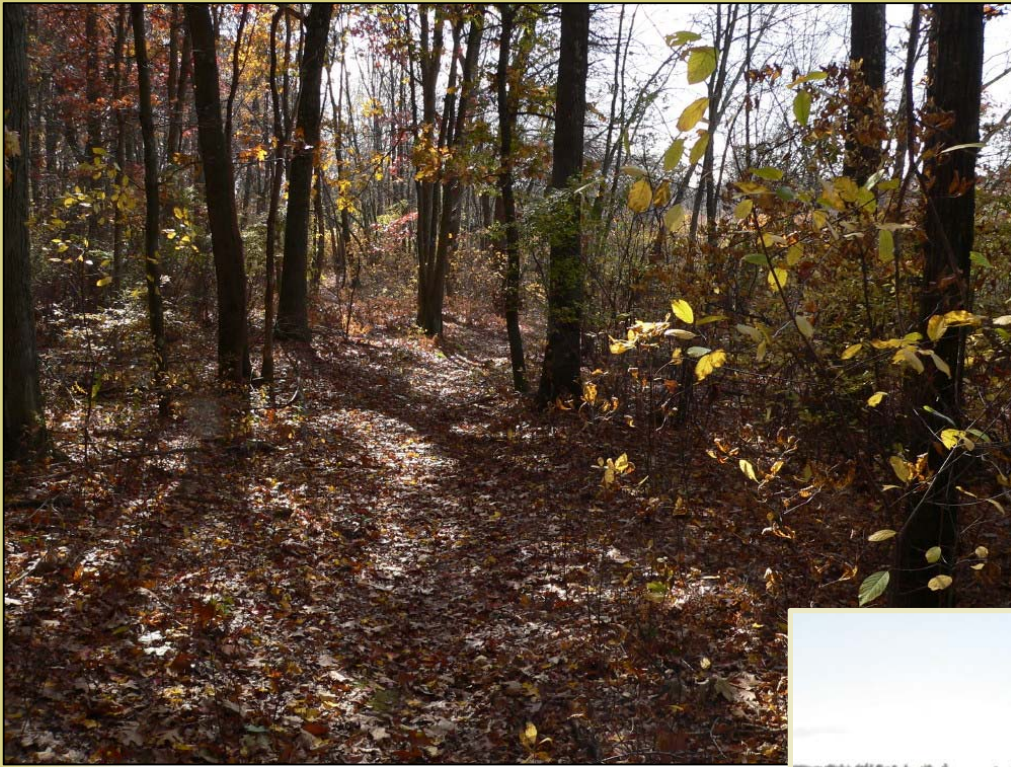
Cons. Area



Sawmill Brook



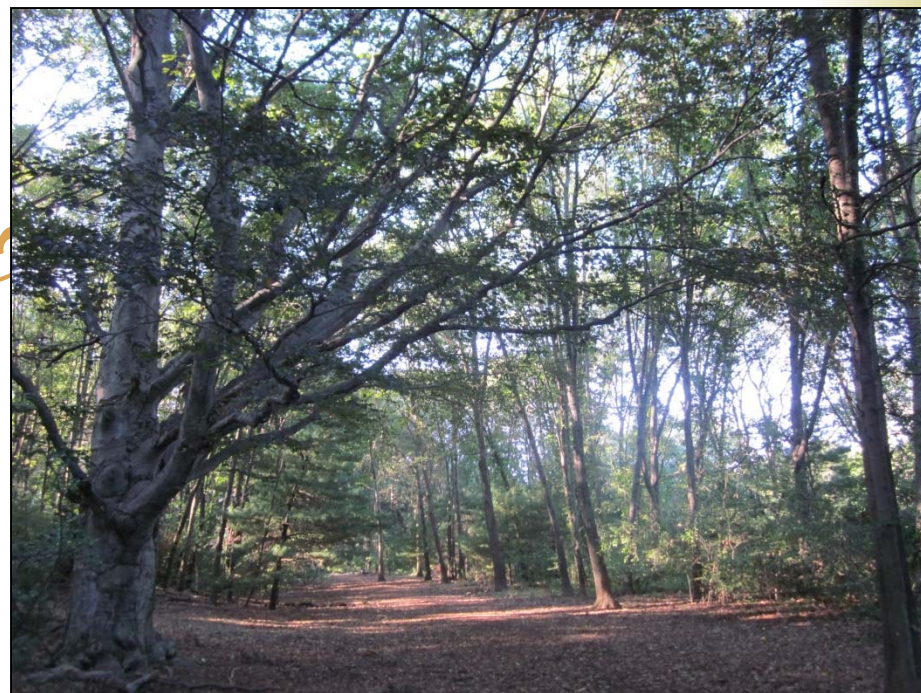
Helen Heyn Riverway

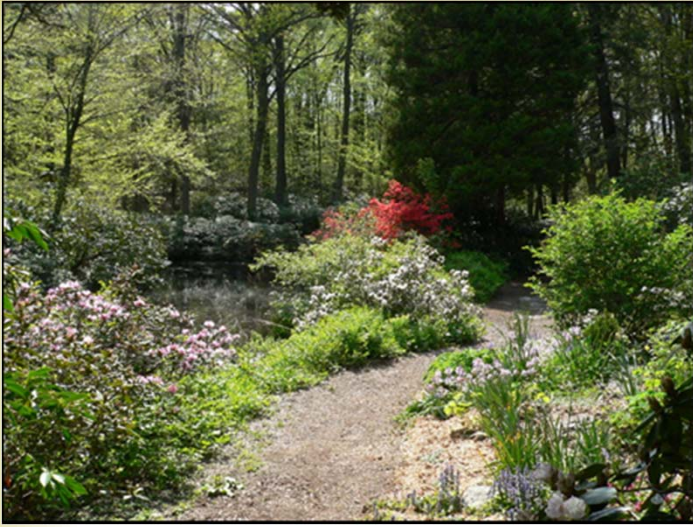


Flowed Meadow

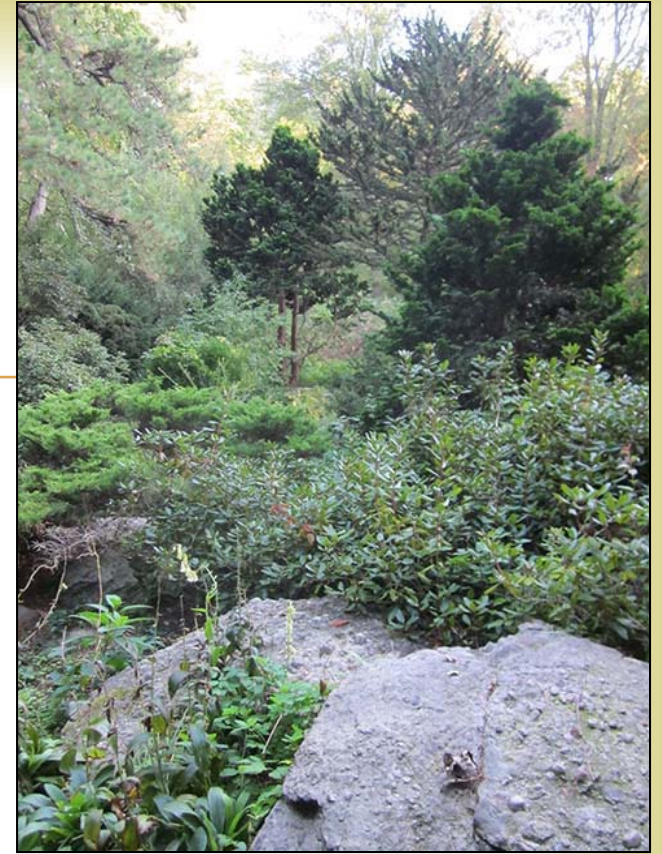


Norumbega

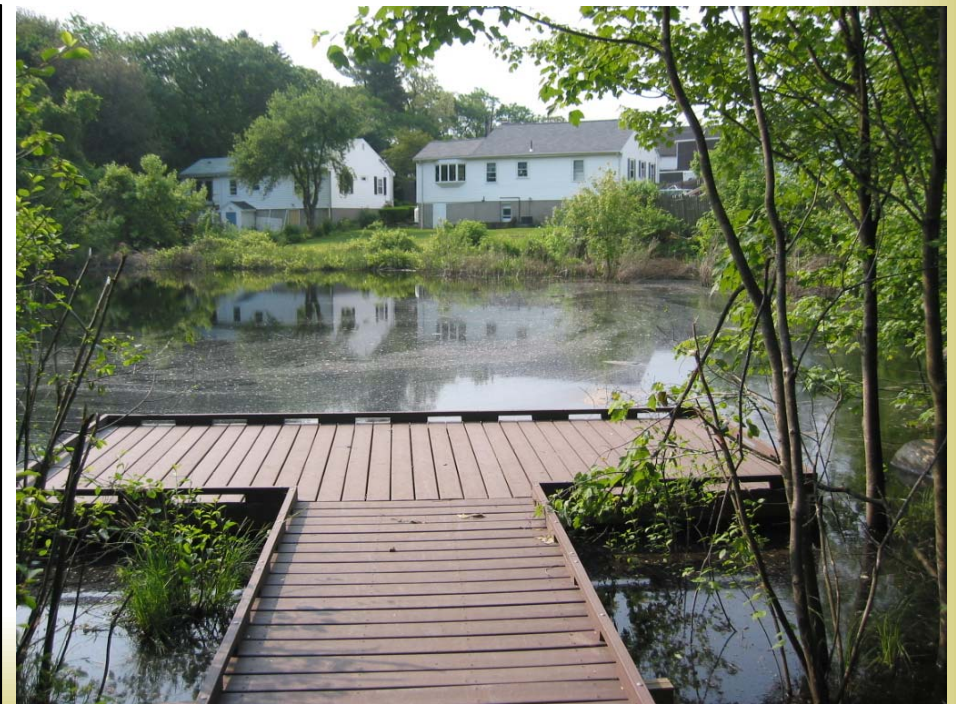


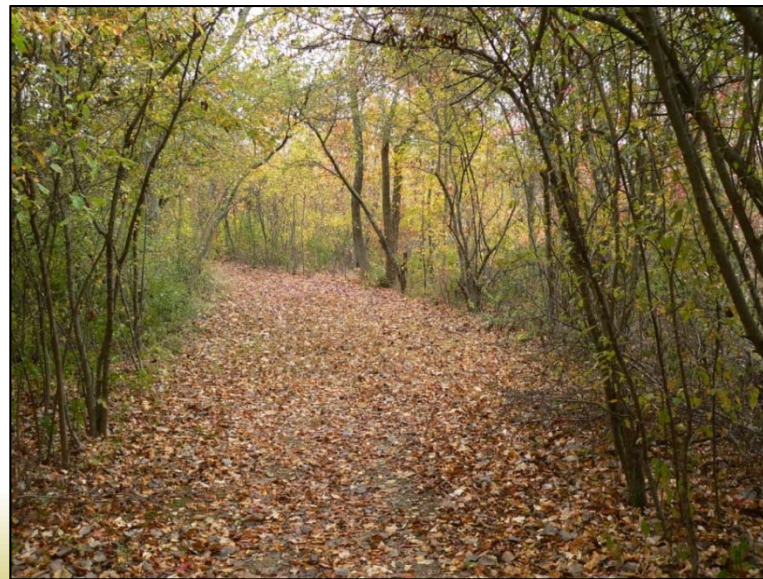


Houghton Garden



Dolan Pond



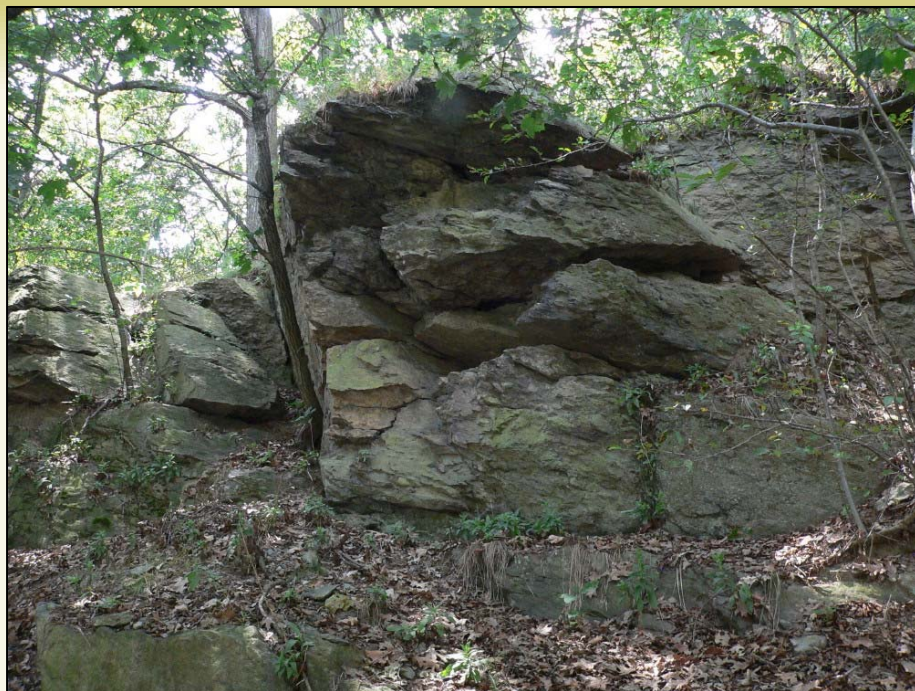


Charles River Pathway



Oakdale Woods

Frank Barney & Martin



Planning and Maintenance



- ❧ How is Conservation Land managed/planned for?
 - ❧ Open Space and Recreation Plan
 - ❧ Land Management Plan 1-, 2-, 10-yr plans for each parcel
- ❧ How are Conservation maintenance and special projects “funded”?
 - ❧ Comm. Golf Fund -- Annual land maintenance by landscaper
 - ❧ Annual Budget – Priority projects
 - ❧ One-Time Funds – Marriott Funds for Norumbega
 - ❧ Volunteer Efforts – e.g., Eagle Scouts, Newton Serves, CRWA clean up, etc.)

Planning: The Big Picture

City of Newton

Open Space and Recreation Plan

2014-2020



March 19, 2014

Cons. Area Management Plans: 1-, 2-, 10-Year Priorities

Newton Conservation Area Management Plans (2015-2025)

1-Page Summaries for 20 Conservation Areas



January 26, 2014

Kennard Conservation Area	
Acres	31.88 (32.28)
Year Acq.	1978
Trailheads	3
Trails (ft)	4590
Natural Character	Woods, stream, wetland
Signs	4
Boardwalks	1 long stretch
Bridges	2
Parking lots	1
Benches	0
Trash Cans	0

- ### Management Plan
- Annual Maintenance
- Trail & trailhead cleanups: 3
- 2015 Goals (Special Projects)
- Install 4 signs
 - Remove weed-block fabric
 - Repair stone/dust steps
 - Remove bollards and install box steps
- 2017 Goals (Special Projects)
- Invasive control
 - Fix fences at cul-de-sacs
- 2025 Goals (Special Projects)
- Invasive control
 - Re-furbish boardwalks and bridges

Kennard Conservation Area was bequeathed to the City of Newton between 1977-1978 in the will of Mr. Harrison E. Kennard, who loved the varied woods and wetland areas associated with South Meadow Brook. Located in Newton in the area adjacent to Brookline, its 32.28 acres contain marked trails, including those through the woods and wetlands that connect to Brookline's "Last Pond Reservation" and "Last Pond Conservation Area." Access is off of Dudley Road from the paved entrance to the old Kennard Estate (Parks and Recreation land), and from the end of Pond Brook Drive and Audubon Drive.



Maintenance Priorities

2015 & 2016



❧ Maintenance of Infrastructure

- ❧ Trailhead and street-side clean-ups
- ❧ Trail clearing (fallen trees, trash, encroaching vegetation)
- ❧ Fixing boardwalks, steps, trail-beds
- ❧ Mowing (Norumbega and Dolan Pond)

Special Project Priorities: 2015 & 2016



❧ Signs

- ❧ Trail head signs
- ❧ Blazes and intersection markers

❧ Dogs (especially at Norumbega, Kennard, Webster)

- ❧ Coordinate with Dog Officer to implement new policy
- ❧ Institute better system of education and enforcement


❧ Infrastructure Improvements

- ❧ Norumbega -- removing rusty fence along "road" to river
- ❧ Sawmill Brook -- installing new boardwalks and trails

❧ Ecological Restoration

- ❧ Houghton Garden - remove dead hemlocks and other dead trees, remove phragmites
- ❧ Norumbega - encourage field succession and create trails
- ❧ Kennard - address invasive shrubs and vines

Trailhead Signs



Newton Conservation Land


Enjoy this nature reserve from dawn to dusk

Leave no trace of your visit

Dogs must be on leashes

Dog waste must be carried out

Auburndale Conservation Area



Legend

- Conservation/Parkland
- Wetlands
- Water

Old Pine Street Lane
Hill St
Hill St
Kerry Court Conservation Area
Auburndale Yard Conservation Area
Hill St
Hill St

For more information, contact the Newton Conservatory Commissioners at (617) 552-1120



Dogs

Guidance and Rules: Dogs on Conservation Lands Adopted April 3, 2014

The rules (below) were established based on the following.

- Dogs can disturb or kill birds and mammals (birds are especially vulnerable during nesting season and deer are especially vulnerable during winter). Dogs can also trample and damage vegetation.
- Dog activity can erode banks and add sediments to ponds, stream waters, and vernal pools thereby degrading habitat for aquatic species.
- Dog waste can pollute surface waters.
- Dog greeting behavior is unpleasant to some and frightening to others and is a potential safety concern.

Newton Conservation Areas have been protected to safeguard plant and wildlife habitat and encourage nature observation and learning. The Newton Conservation Commission permits dog walking in its Conservation Areas, however requires that dog walkers adhere to the following rules.

- Every dog is required to be on a leash and to stay on the trails at all times.
- An individual may bring a maximum of three dogs at any one time.
- Dogs are not allowed in ponds, watercourses, or wetlands.
- Dog owners must clean-up after dogs
- Dogs are not allowed to harass wildlife of any kind.

Infrastructure Improvements



Ecological Restoration



Newton Conservation Area Management Plans (2015-2025)

1-Page Summaries for 20 Conservation Areas

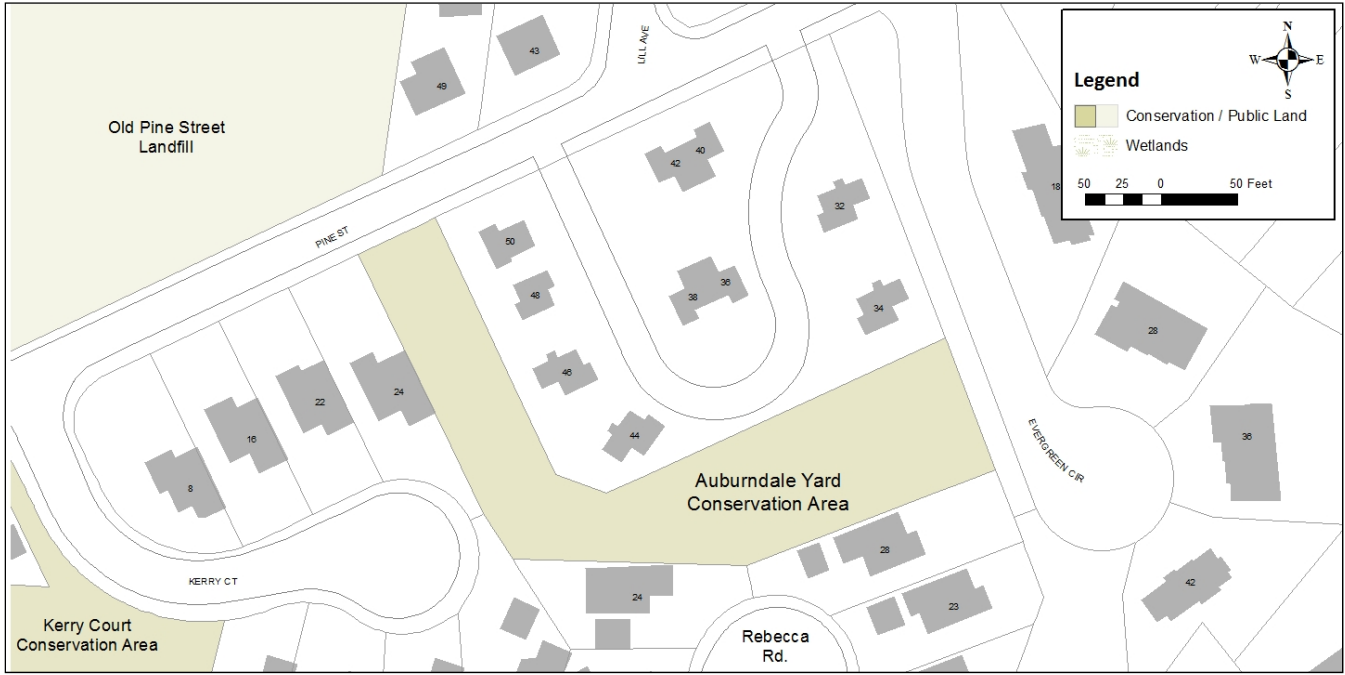


May 8, 2015

Auburndale Yard Conservation Area	
Acres	0.78
Year Acq.	1987
Trailheads	0
Trails (ft)	0
Natural Character	woods
Signs	2
Boardwalks	0
Bridges	0
Parking lots	0
Benches	0
Trash Cans	0

Management Plan	
<u>Annual Maintenance</u>	
• Street-side cleanups:	1
<u>2015 Goals (Special Projects)</u>	
• Install 2 signs	
<u>2017 Goals (Special Projects)</u>	
•	
<u>2025 Goals (Special Projects)</u>	
•	

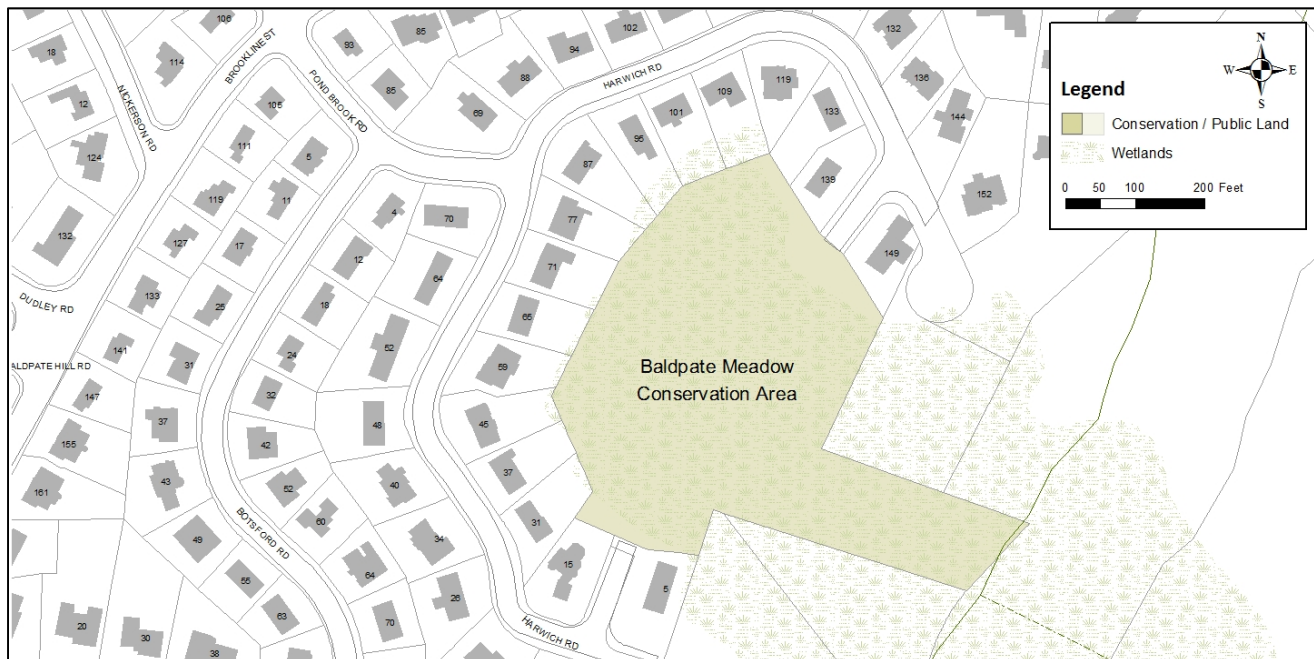
This crescent-shaped parcel surrounding the Pine Street Condominiums is a 0.78-acre development buffer donated to the Newton Conservation Commission around 1987 as an open-space buffer zone.



Baldpate Meadow Conservation Area	
Acres	4.86
Year Acq.	1974
Trailheads	0
Trails (ft)	0
Natural Character	wooded wetland
Signs	2
Boardwalks	0
Bridges	0
Parking lots	0
Benches	0
Trash Cans	0

Management Plan	
<u>Annual Maintenance</u>	
• Street-side cleanups:	1
<u>2015 Goals (Special Projects)</u>	
• Install 2 signs	
<u>2017 Goals (Special Projects)</u>	
•	
<u>2025 Goals (Special Projects)</u>	
•	

The 4.86-acre parcel was acquired by the City from a private owner in 1974, and can be accessed from either end of Harwich Road. Located in Chestnut Hill, the area is comprised of floodplain and peat swamp associated with Saw Mill Brook. There are no trails, pathways, or picnic areas because it is so wet. It does, however, provide a rich habitat for wildlife.



Charles River Pathway Conservation Area	
Acres	1.57
Year Acq.	1980
Trailheads	2
Trails (ft)	1313
Natural Character	woods
Signs	2
Boardwalks	0
Bridges	0
Parking lots	0
Benches	1
Trash Cans	0

Management Plan
<u>Annual Maintenance</u>
<ul style="list-style-type: none"> Trail & trailhead cleanups: 3-4 Mowing: 3-4
<u>2015 Goals (Special Projects)</u>
<ul style="list-style-type: none"> Install 2 signs
<u>2017 Goals (Special Projects)</u>
<ul style="list-style-type: none">
<u>2025 Goals (Special Projects)</u>
<ul style="list-style-type: none">

The City of Newton acquired the Charles River Pathway in 1980. Located in Newton Upper Falls, this 1.57-acre area is accessible from the ends of Saco Street, Williams Street and Abbott Street (all off of Oak Street). The footpath follows the contour of the river, providing serene views and an easy stroll. A very rough connection to the Upper Falls Greenway rail trail exists.



Dolan Pond Conservation Area	
Acres	10.02
Year Acq.	1979
Trailheads	5
Trails (ft)	2040, handicapped accessible
Natural Character	woods, wetland, pond
Signs	5
Boardwalks	2 (500')
Bridges	1
Parking lots	1
Benches	0
Trash Cans	1

Management Plan
<u>Annual Maintenance</u>
<ul style="list-style-type: none"> Trail & trailhead cleanups: 3-4 Mowing: 3-4
<u>2015 Goals (Special Projects)</u>
<ul style="list-style-type: none"> Install 2 signs
<u>2017 Goals (Special Projects)</u>
<ul style="list-style-type: none"> Pond clean-up, remove invasive control plastic (&kiosk?) Fallen trees at cul-de-sac Fix fence at cul-de-sac
<u>2025 Goals (Special Projects)</u>
<ul style="list-style-type: none"> Boardwalk improvements/repairs

The City of Newton acquired Dolan Pond in 1979. Located in West Newton, this 10.02-acre area is accessible from Cumberland Road, Stratford Road, Auburndale Avenue, and from Webster Park. This area actually has four ponds interlaced with wetlands and an intermittent stream. The trail in from Webster Park crosses Banana Pond as a boardwalk. The boardwalk takes a right turn after crossing and continues toward Quinn Pond near Auburndale Avenue and Stratford Road – this is the largest of the four ponds. Or, after crossing Banana Pond, take the trail left to Dolan Pond, closest to Cumberland Road, where a large overlook “dock” area provides a quiet place for bird-watching.



Flowed Meadow Conservation Area

Acres	32.55
Year Acq.	1983-2008
Trailheads	3
Trails (ft)	6119
Natural Character	Woods, kettle hole, wetlands
Signs	4
Boardwalks	5
Bridges	0
Parking lots	0
Benches	1
Trash Cans	0

Management Plan

Annual Maintenance

- Trail & trailhead cleanups: 2

2015 Goals (Special Projects)

- Install 2 signs

2017 Goals (Special Projects)

-

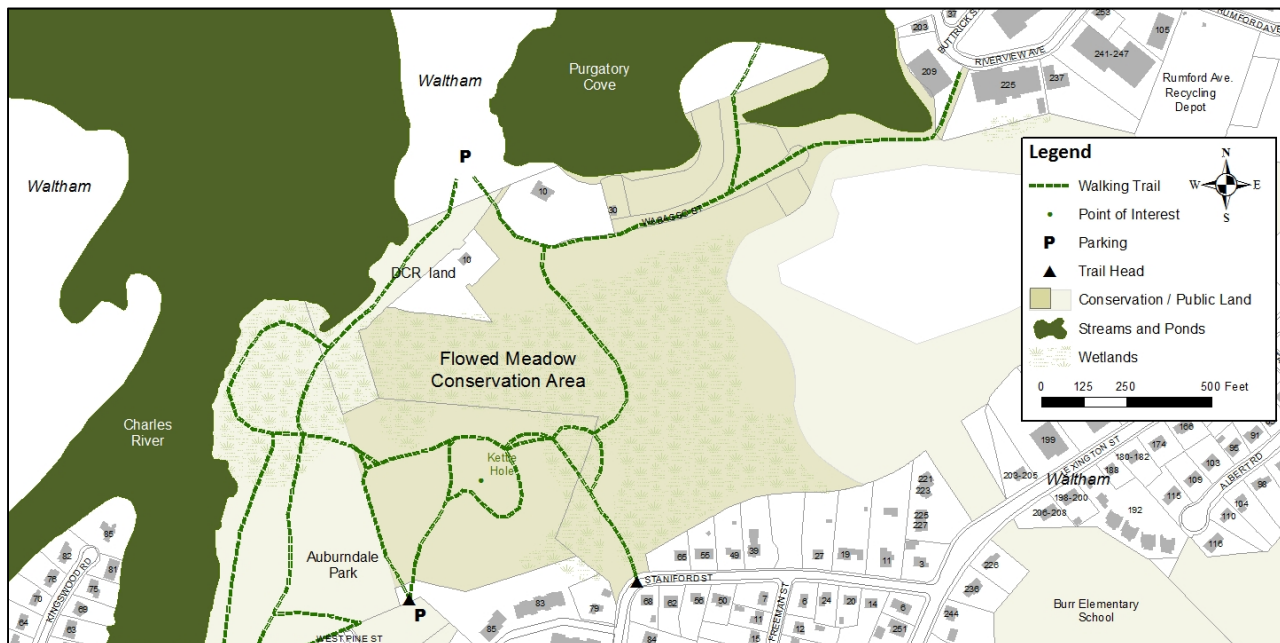
2025 Goals (Special Projects)

- Refurbish boardwalks
- Refurbish wood chipped paths

Newton acquired its first portion of Flowed Meadow in Auburndale in 1983. Five lots are included in this conservation area (including the former #30 Wabasso Street, acquired in 2007), three of which are “co-owned” with Parks and Recreation, for a total area of 32.55 acres. It is accessible from Staniford St., from Riverview Ave. (next to #225), from the West Pine St. parking lot, and from Forest Grove Road in Waltham.

Some of this area was once farmland, in an area formerly called the “Lakes District of the Charles River.” The Moody Street Dam, used to slow the flow of the Charles River, promoted upstream flooding in this low-lying area.

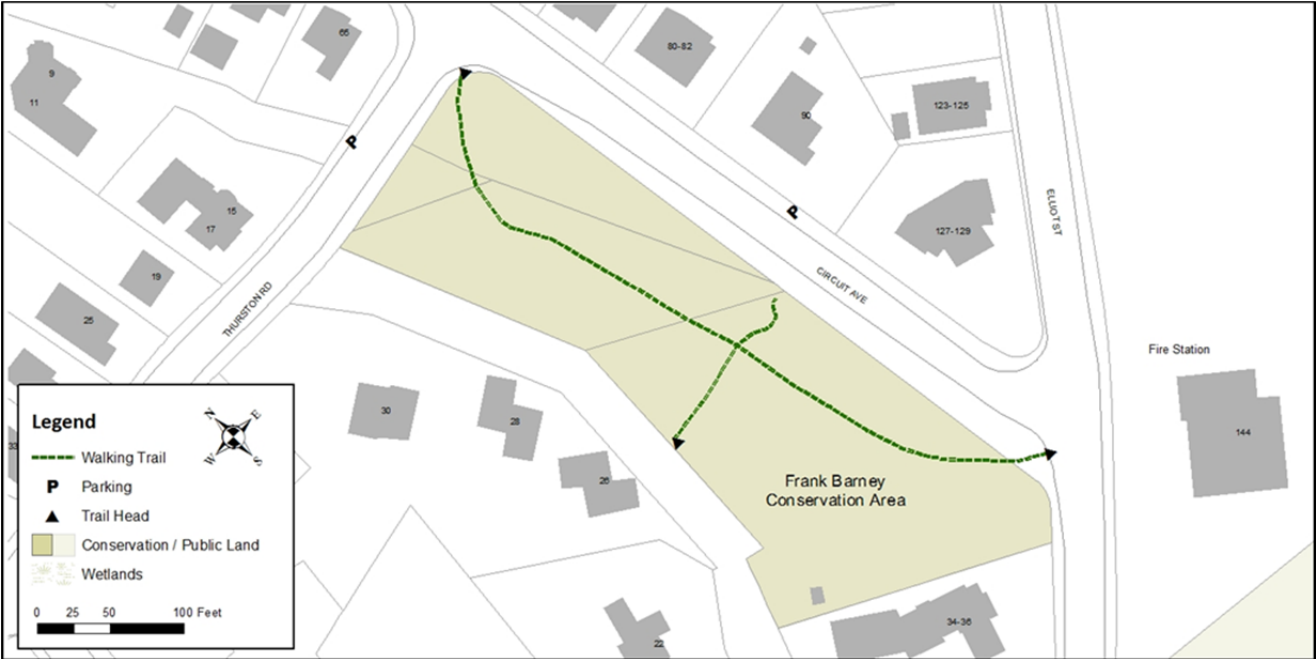
Flowed Meadow Conservation Area contains open water, deep marsh, wooded swamp, mixed upland forests, shallow marsh, and shrub marsh. The Nature Trail loop passes through private land and land owned by the State of Massachusetts, in addition to City of Newton property, and is a “Nature Interpretive Area” of the Charles River Pathway.



Frank Barney Conservation Area	
Acres	1.57
Year Acq.	1975, 1996
Trailheads	3
Trails (ft)	637
Natural Character	Wooded
Signs	3
Boardwalks	0
Bridges	0
Parking lots	0
Benches	0
Trash Cans	0

Management Plan
<u>Annual Maintenance</u>
<ul style="list-style-type: none"> Trail & trailhead cleanups: 2
<u>2015 Goals (Special Projects)</u>
<ul style="list-style-type: none"> Install 3 signs
<u>2017 Goals (Special Projects)</u>
<ul style="list-style-type: none">
<u>2025 Goals (Special Projects)</u>
<ul style="list-style-type: none">

The City of Newton first acquired the Frank Barney Conservation Area in 1975, but it increased in size in 1996 when the children of the previous landowners sold additional land to the city after their parents' deaths. Located in Upper Falls, the total size is 1.57 acres, accessible from Circuit Avenue and Thurston Road off of Route 9, or from Elliot Street. This is a steeply wooded area with interesting cliff formations. Keep your eyes open for a native wildflower that can be seen in its bloom from May-June: the Gaywings Fringed Polygala.



Goddard-Christina Conservation Area	
Acres	3.94
Year Acq.	1986
Trailheads	0
Trails (ft)	0
Natural Character	Wooded wetland
Signs	2
Boardwalks	0
Bridges	0
Parking lots	0
Benches	0
Trash Cans	0

Management Plan

Annual Maintenance

- Street-side cleanups: 3-4

2015 Goals (Special Projects)

- Install 2 signs

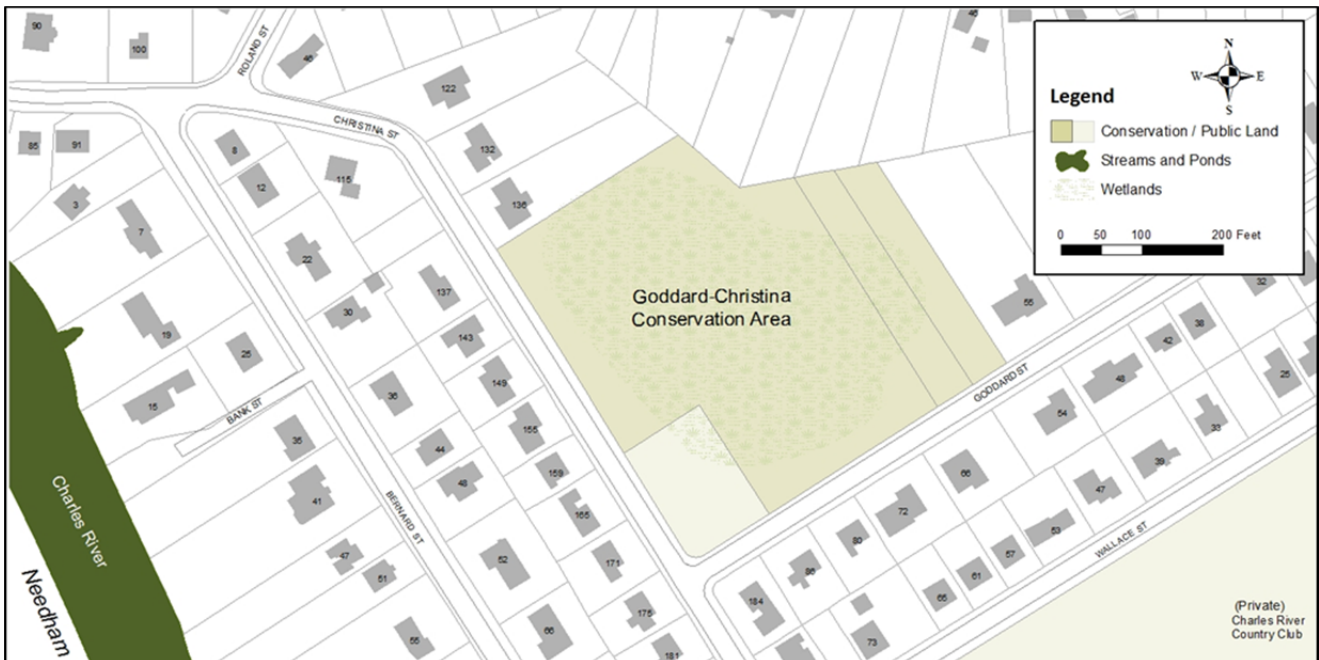
2017 Goals (Special Projects)

-

2025 Goals (Special Projects)

-

The City of Newton officially turned general City-owned land into Goddard-Christina Conservation Area in 1986. Located in Newton Highlands at the intersection of Goddard Street and Christina Street, this 3.94-acre (three parcels) area is protected by a permanent restriction order (Inland Wetlands Restriction Act and its regulations at 310 CMR 13.00) prohibiting certain alterations. A fourth parcel (right on the corner) is owned by the Newton Housing Authority. The area undoubtedly experiences a ground-water connection with the Charles River, which is only two blocks away, and may re-connect during extreme flood events. While there are no trails, the area provides a green retreat for wildlife and a restful sight for neighbors in the area.

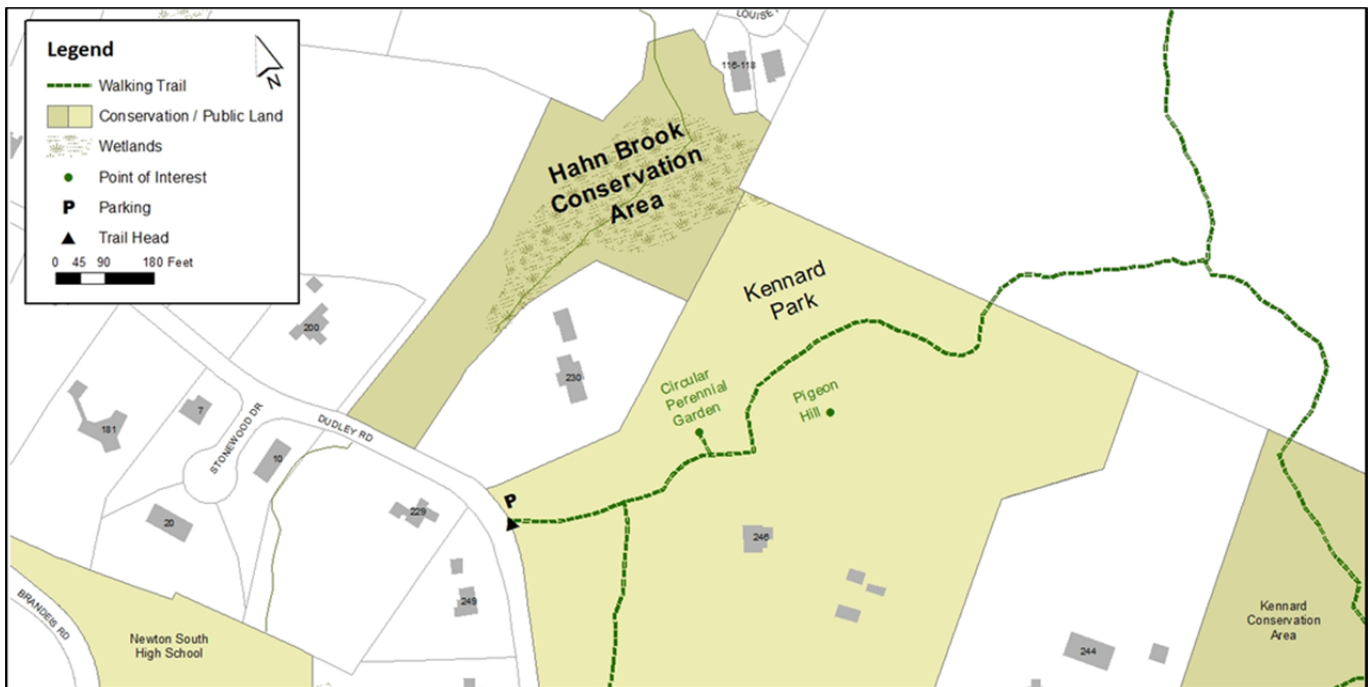


(Private)
Charles River
Country Club

Hahn Brook Conservation Area	
Acres	4.36
Year Acq.	1994
Trailheads	0
Trails (ft)	0
Natural Character	Woods, stream, wetlands
Signs	1
Boardwalks	0
Bridges	0
Parking lots	0
Benches	0
Trash Cans	0

Management Plan	
<u>Annual Maintenance</u>	
• Street-side cleanups:	1
<u>2015 Goals (Special Projects)</u>	
• Install 2 signs	
<u>2017 Goals (Special Projects)</u>	
•	
<u>2025 Goals (Special Projects)</u>	
•	

This intermittent stream and surrounding wetland area, with a substantial percentage of the associated upland buffer zone, can be accessed from the end of Louise Road, off of Florence Street. There are no official trails and most of the 4.36 acre parcel is too wet to walk (unless you have rubber boots!), but the area provides a green view for the neighborhood and a refuge for local wildlife.



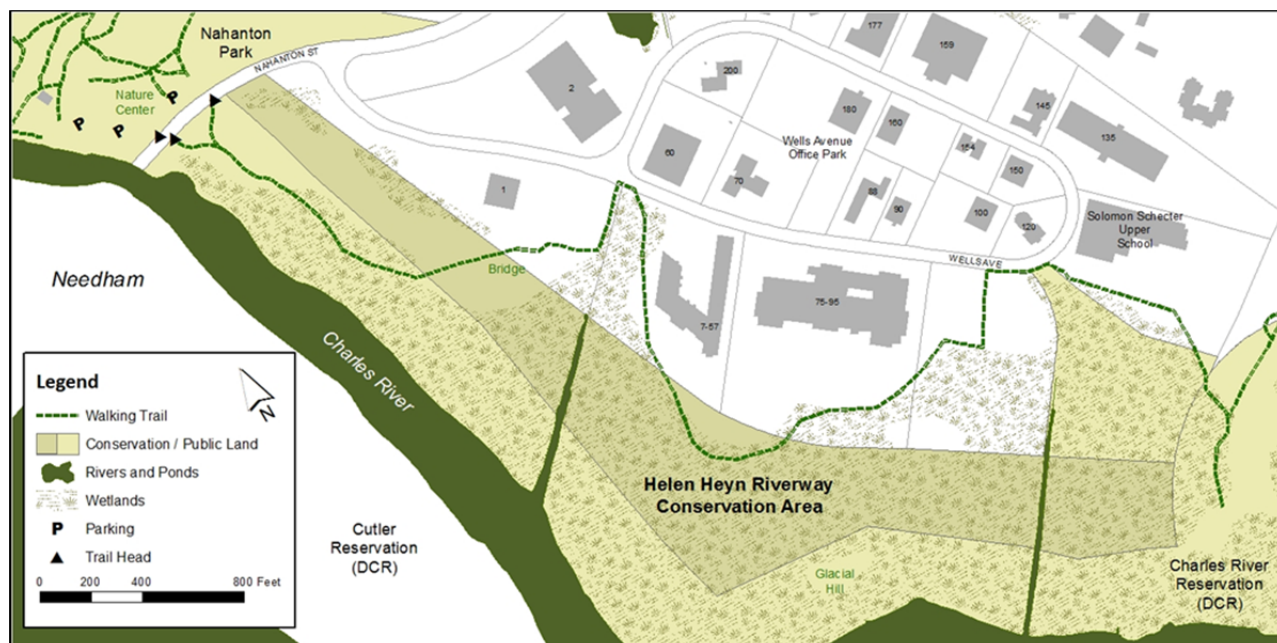
Helen Heyn Riverway Conservation Area	
Acres	33.58
Year Acq.	1980
Trailheads	3
Trails (ft)	1030 (6167 w/ DCR)
Natural Character	Woods, wetland, river
Signs	4
Boardwalks	0
Bridges	1
Parking lots	0
Benches	0
Trash Cans	0

Management Plan
<u>Annual Maintenance</u>
<ul style="list-style-type: none"> Trail & trailhead cleanups: 3
<u>2015 Goals (Special Projects)</u>
<ul style="list-style-type: none"> Install 4 signs
<u>2017 Goals (Special Projects)</u>
<ul style="list-style-type: none">
<u>2025 Goals (Special Projects)</u>
<ul style="list-style-type: none"> Repair/replace bridge

The City of Newton acquired this long, narrow strip of land in 1997. Sandwiched between a DCR parcel bordering the Charles, and the commercial lots along Wells Avenue, this parcel is part of the Great Plain Marsh, a forested floodplain associated with the Charles River.

The parcel is not all marsh, but is cut by at least two streams, the larger of which is Country Club Brook originating on the Charles River Country Club. A pathway on the DCR property meanders onto Helen Heyn Conservation Area in some places, and trail-heads on Nahanton Street provide direct access.

This conservation area was named to honor Mrs. Helen A. Heyn for her many years of service to the Conservation Commission, for her commitment to wetlands protection, and her persistent efforts to acquire and protect open space for Newton residents. Mrs. Heyn was the founder and secretary of the Newton Conservators and received the "Most Valuable Contribution to Conservation through Volunteer Activity Award for 1979" from the Massachusetts Conservation Council.



Houghton Gardens Conservation Area

Acres	11.06
Year Acq.	1968, 1979
Trailheads	3
Trails (ft)	4440
Natural Character	Woods, stream, pond
Signs	4
Boardwalks	0
Bridges	2
Parking lots	0
Benches	1
Trash Cans	1

Management Plan

Annual Maintenance

- Trail & trailhead cleanups: 2

2015 Goals (Special Projects)

- Install 2 signs
- Install boardwalks
- Remove dead/dying hemlocks
- Remove phragmites

2017 Goals (Special Projects)

-

2025 Goals (Special Projects)

-

Located in Chestnut Hill near Hammond Pond, the 11.06-acre parcel is accessible from Suffolk Road. Mrs. Clement S. Houghton first started work on Houghton Gardens in 1906. Mr. and Mrs. Houghton were members of the Chestnut Hill Garden Club. The garden was restored in 1956 after Mrs. Houghton’s death and the City gained official ownership of much of what is now Houghton Garden Conservation Area in 1968 when the Houghtons gave a section of their estate to the City (additional land was acquired by the City in 1979). Houghton Gardens consists of several separate gardens, including a Rock Garden, an Alpine Garden, a Conifer Garden, the Botanical Gardens, Houghton Pond, and a bridge over Hammond Brook. There are three color-coded trails, with markers and labels on much of the vegetation.

Just beyond the rear entrance to Houghton Garden is a pedestrian crossing across the MBTA Green Line that allows walkers to connect to a meandering path through the Webster (East) Conservation Area and DCR land abutting the west side of Hammond Pond and the Chestnut Hill Shopping Center parking lot. Bird species observed here include herons, hawks, doves, woodpeckers, swallows, gulls, thrushes, warblers, finches, and sparrows.



Hunnewell Woods Conservation Area

Acres	1.63
Year Acq.	1979
Trailheads	2
Trails (ft)	716
Natural Character	Woods
Signs	2
Boardwalks	0
Bridges	0
Parking lots	0
Benches	0
Trash Cans	0

Management Plan

Annual Maintenance

- Trail & trailhead cleanups: 2

2015 Goals (Special Projects)

- Install 2 signs
- Communicate with condos to ensure no more dumping

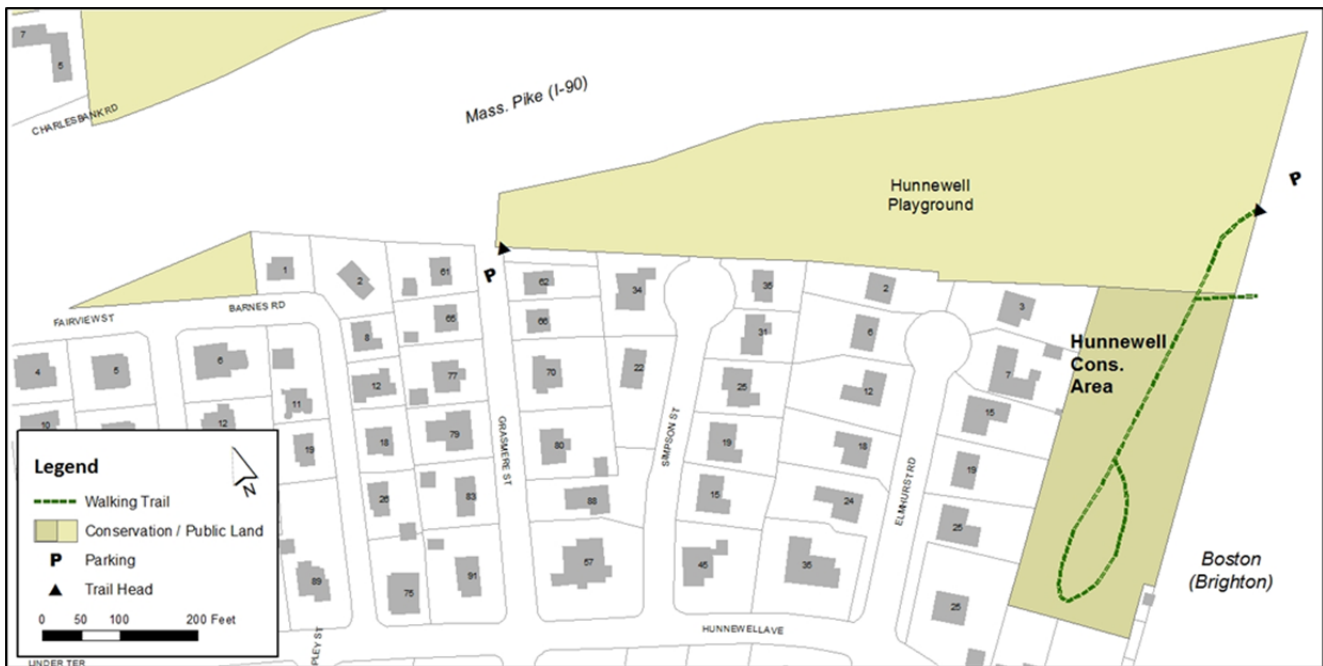
2017 Goals (Special Projects)

-

2025 Goals (Special Projects)

-

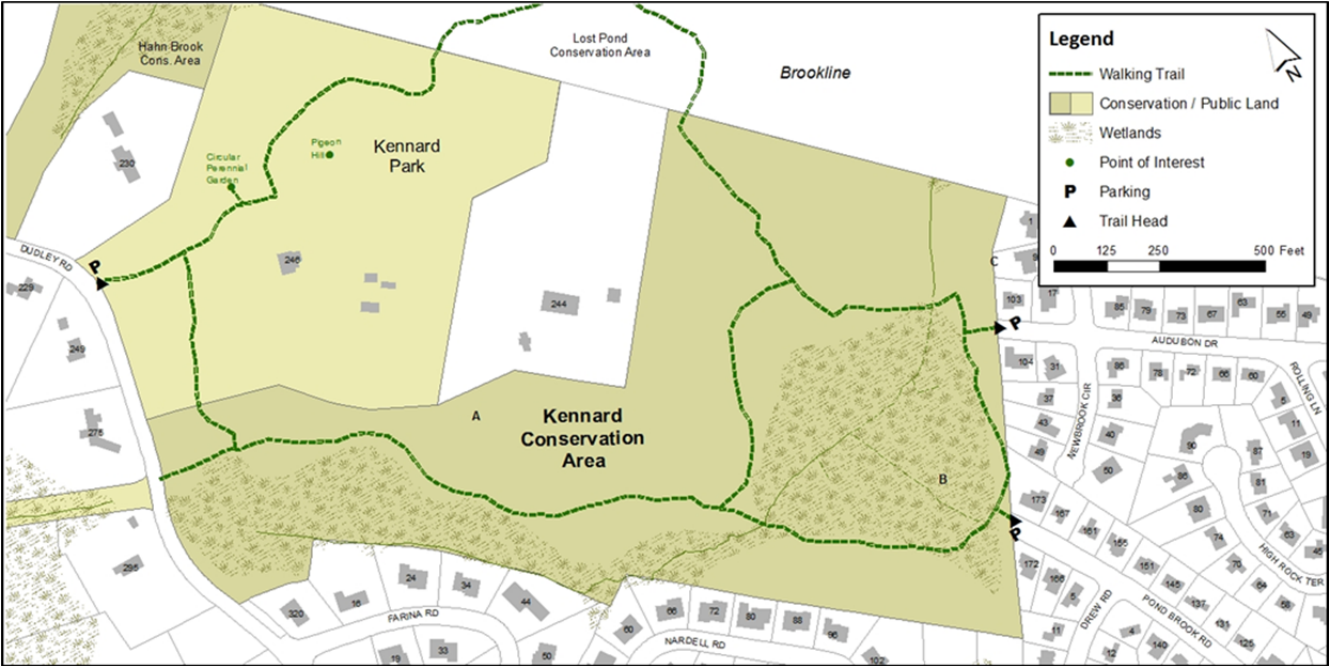
The City of Newton acquired Hunnewell Woods in 1979. Located in Newton Corner near the border with Brighton, this 1.63-acre area is accessible through Hunnewell Park, at the north end of Grassmere Street, off of Hunnewell Avenue. Parking is also available at the New Balance parking lot at the west end of Newton Street in Brighton, or on Newton Street, itself. Located on a wooded hillside, local residents report occasional sightings of coyotes, as well as raccoons and a variety of birds.



Kennard Conservation Area	
Acres	32.28
Year Acq.	1978
Trailheads	3
Trails (ft)	4590
Natural Character	Woods, stream, wetland
Signs	4
Boardwalks	1 long stretch
Bridges	2
Parking lots	1
Benches	0
Trash Cans	0

Management Plan
<u>Annual Maintenance</u>
<ul style="list-style-type: none"> Trail & trailhead cleanups: 3
<u>2015 Goals (Special Projects)</u>
<ul style="list-style-type: none"> Install 4 signs Remove weed-block fabric Repair stonedust steps Remove bollards and install box steps
<u>2017 Goals (Special Projects)</u>
<ul style="list-style-type: none"> Invasives control Fix fences at cul-de-sacs
<u>2025 Goals (Special Projects)</u>
<ul style="list-style-type: none"> Invasives control Refurbish boardwalks and bridges

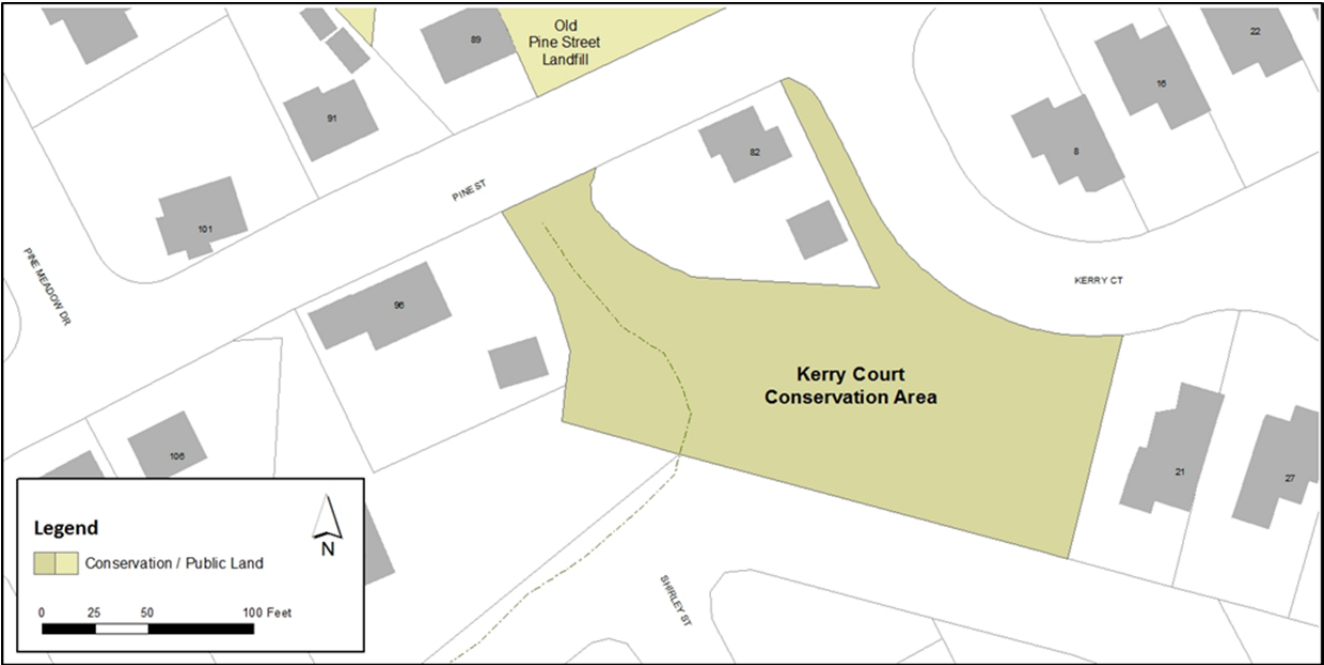
Kennard Conservation Area was bequeathed to the City of Newton between 1977-1978 in the will of Mr. Harrison E. Kennard, who loved the varied woods and wetland areas associated with South Meadow Brook. Located in Newton in the area adjacent to Brookline, its 32.28 acres contain marked trails, including those through the woods and wetlands that connect to Brookline’s “Lost Pond Reservation” and “Lost Pond Conservation Area.” Access is off of Dudley Road from the paved entrance to the old Kennard Estate (Parks and Recreation land), and from the end of Pond Brook Drive and Audubon Drive.



Kerry Court Conservation Area	
Acres	0.66
Year Acq.	1986
Trailheads	0
Trails (ft)	0
Natural Character	Woods, stream, wetland
Signs	2
Boardwalks	0
Bridges	0
Parking lots	0
Benches	0
Trash Cans	0

Management Plan	
<u>Annual Maintenance</u>	
• Street-side cleanups:	2
<u>2015 Goals (Special Projects)</u>	
• Install 2 signs	
<u>2017 Goals (Special Projects)</u>	
•	
<u>2025 Goals (Special Projects)</u>	
•	

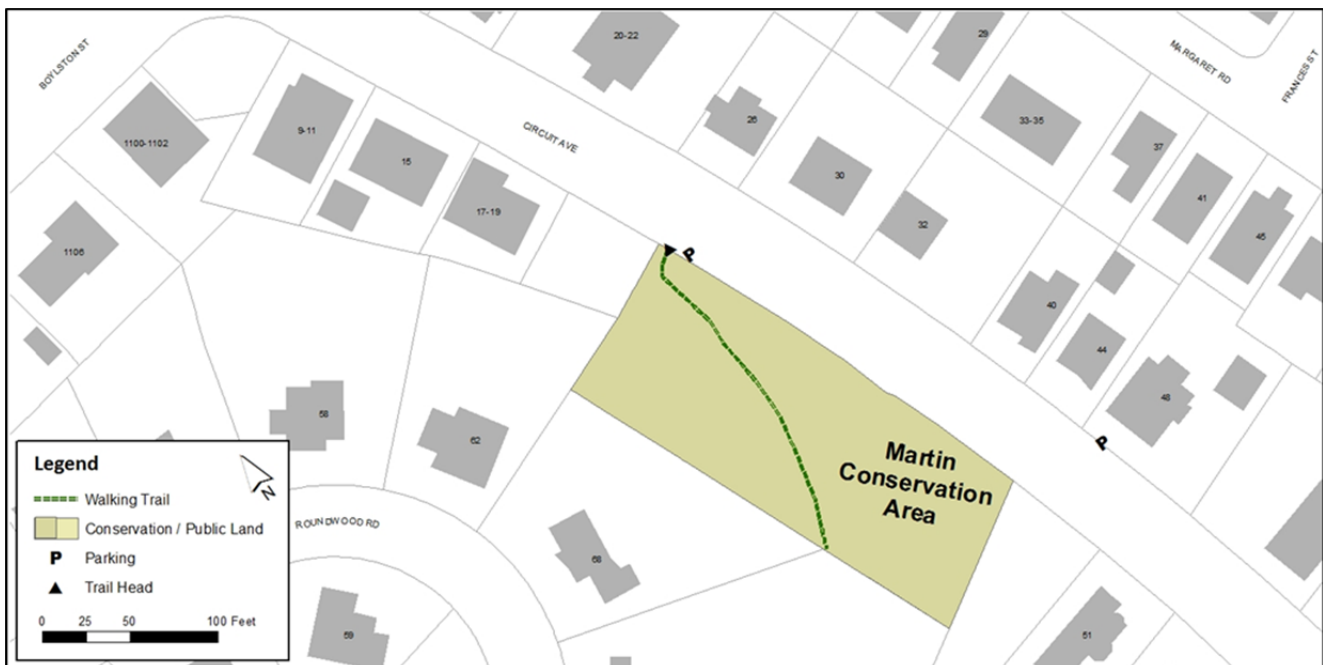
Oddly-shaped, this 0.66-acre parcel surrounds #82 Pine Street, and includes a small section of Brunnen Brook before it enters a culvert under Pine Street. There are no trails, but you can access the parcel from Kerry Court behind #82 Pine Street.



Martin Conservation Area	
Acres	0.55
Year Acq.	1976
Trailheads	3
Trails (ft)	200
Natural Character	Wooded hillside
Signs	1
Boardwalks	0
Bridges	0
Parking lots	0
Benches	0
Trash Cans	0

Management Plan
<u>Annual Maintenance</u>
<ul style="list-style-type: none"> Trail & trailhead cleanups: 2
<u>2015 Goals (Special Projects)</u>
<ul style="list-style-type: none"> Install 2 signs
<u>2017 Goals (Special Projects)</u>
<ul style="list-style-type: none">
<u>2025 Goals (Special Projects)</u>
<ul style="list-style-type: none">

The City of Newton acquired this area in 1976. Located in Upper Falls, this area is one of two conservation areas located on, and accessible from, Circuit Avenue. Comprised of four small lots, the total area is only 0.55 acres with a narrow pedestrian path running through this upland wooded area.



Norumbega Park Conservation Area

Acres	13.27
Year Acq.	1976
Trailheads	4
Trails (ft)	5000
Natural Character	Woods, field, river, "arboretum"
Signs	4
Boardwalks	0
Bridges	0
Parking lots	"2"
Benches	2
Trash Cans	2

Management Plan

Annual Maintenance

- Trail & trailhead cleanups: 3-4
- Mowing: 3-4
- Large-scale mowing: 1

2015 Goals (Special Projects)

- Install 4 signs

2017 Goals (Special Projects)

- Woodchip paths
- Field/path restoration

2025 Goals (Special Projects)

- Fence removal
- Eroded hill restoration
- Asphalt removal

Located in Auburndale, access to the 13.27 acres is available on Woodbine Street off of Commonwealth Avenue near the Marriott and off Islington Road (near the oval park). Norumbega Park was acquired by the City of Newton in 1976. Norumbega Park is a recommended picnic site of the Charles River Pathway.

One of the most beautiful, and certainly most popular, "trolley" parks in New England, Norumbega Park opened in 1897 in Auburndale (a village of Newton) Massachusetts and closed for good on Labor Day weekend 1963. The amusement park was built by the directors of the Commonwealth Avenue Street Railway in an attempt to increase patronage and revenues on the trolley line running between Boston and Auburndale. Norumbega was tremendously successful, attracting hundreds of thousands of patrons each season. Its location on the Charles River meant that the park was accessible by water as well as by land. In the early years of the twentieth century, the Lakes District of the Charles was the most heavily canoed stretch of water on earth, with more than 5000 canoes berthed along its 5.8 mile length. Norumbega's success continued through the 1920s, with new attractions added frequently. (<http://www.norumbegapark.com>)



Oakdale Woods Conservation Area

Acres	2.81
Year Acq.	1979
Trailheads	2
Trails (ft)	2110
Natural Character	Woods
Signs	2
Boardwalks	0
Bridges	0
Parking lots	1
Benches	0
Trash Cans	0

Management Plan

Annual Maintenance

- Trail & trailhead cleanups: 2

2015 Goals (Special Projects)

- Install 2 signs

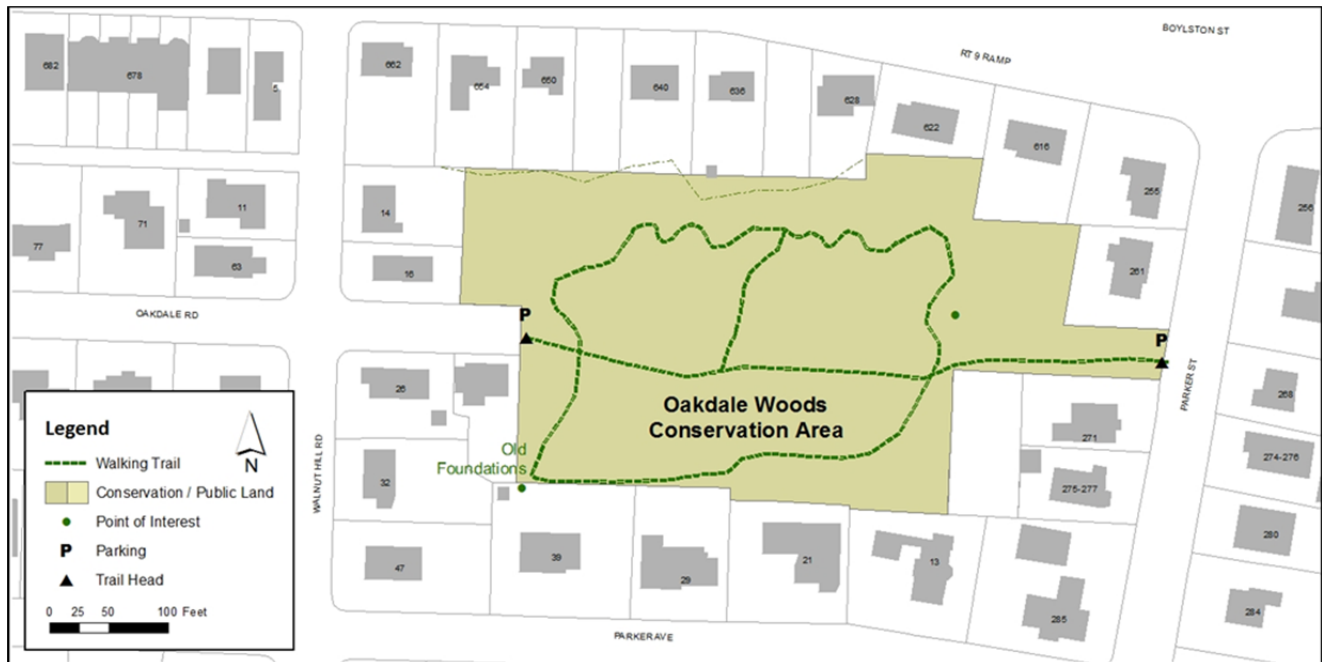
2017 Goals (Special Projects)

-

2025 Goals (Special Projects)

-

Oakdale Woods was acquired by the City of Newton in 1979. It is a lovely lush parcel traversed by attractive footpaths. Located in Newton Highlands, access to the 2.81 acres is available on Oakdale Road (off of Walnut Hill Road) and Parker Street.



Sawmill Brook Conservation Area

Acres	30.94
Year Acq.	1979-1985
Trailheads	2
Trails (ft)	2690
Natural Character	Woods, stream, wetland
Signs	4
Boardwalks	0
Bridges	0
Parking lots	1
Benches	0
Trash Cans	0

Management Plan

Annual Maintenance

- Trail & trailhead cleanups: 2

2015 Goals (Special Projects)

- Install 2 signs

2017 Goals (Special Projects)

- New boardwalks and trail improvements
- Reduce parking lot area and plant

2025 Goals (Special Projects)

- Invasive removals

Saw Mill Brook Conservation Area was acquired by the City of Newton “by pieces”. The parcel extends along a section of the perennial stream for which it was named. The area can be accessed from a parking lot on Vine Street or from the end of Marla Circle. The two access points are connected by an attractive footpath, with boardwalks laid down to reduce damage to the wetland areas through which the path wanders.

Keep your eyes open for puddingstone outcrops (Roxbury puddingstone or Roxbury conglomerate, is a mix of fine-grained sediments and rock).

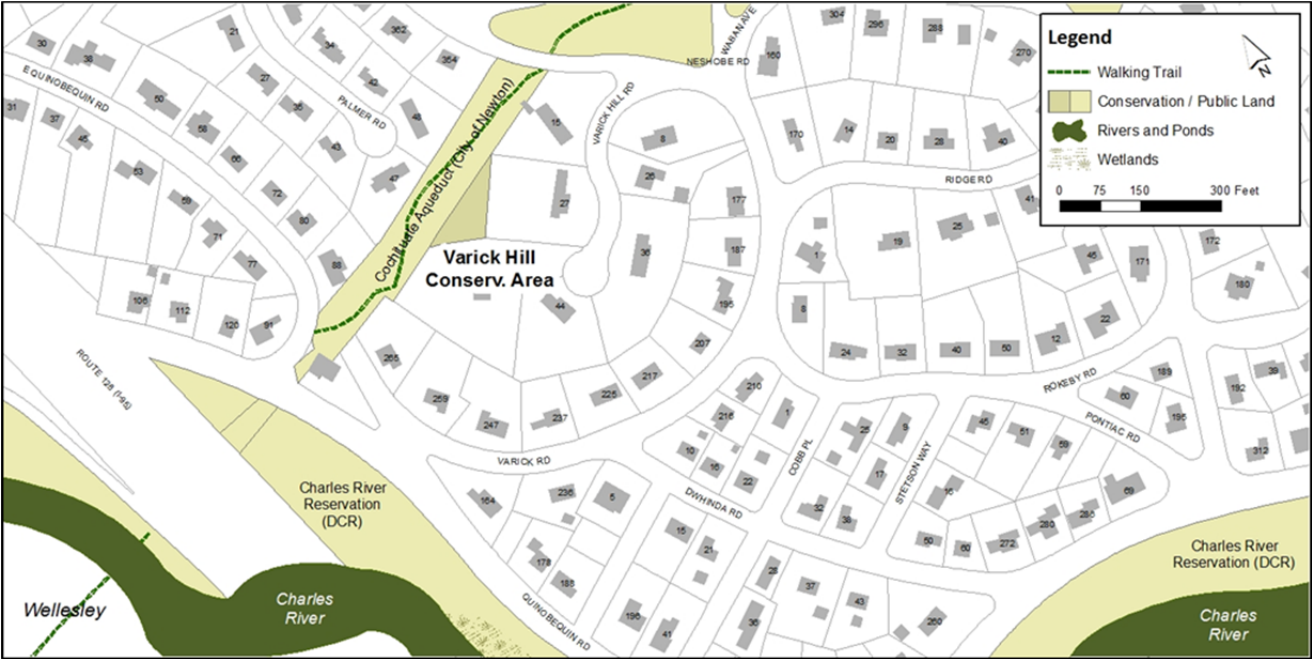
The “Vine Street-West Kessler” parcel on the east side of Vine St. is one of the Commission’s most recent acquisitions. It is thickly wooded, with very uneven ground and wetlands along Saw Mill Brook as it flows toward Lagrange Street. This wetland is part of Massachusetts Inland Wetland Restriction Area #7.



Varick Hill Conservation Area	
Acres	0.19
Year Acq.	1977
Trailheads	0
Trails (ft)	0
Natural Character	Woods
Signs	0
Boardwalks	0
Bridges	0
Parking lots	0
Benches	0
Trash Cans	0

Management Plan	
<u>Annual Maintenance</u>	
• Street-side clean-up:	0
<u>2015 Goals (Special Projects)</u>	
•	
<u>2017 Goals (Special Projects)</u>	
•	
<u>2025 Goals (Special Projects)</u>	
•	

The City of Newton acquired Varick Hill Conservation Area in 1977. Located in Waban, the 0.19 acre triangular parcel abuts the Cochituate Aqueduct, at the rear of #27 and #47 Varick Hill Road. The City of Newton owns the Cochituate Aqueduct, under which runs a Newton sewer line. The aqueduct and the Varick Hill Conservation Area can be accessed from Varick Road or Quinobequin Road.



Webster Conservation Area

Acres	105.47
Year Acq.	1968-1975
Trailheads	5
Trails (ft)	19,000
Natural Character	Woods, wetland, bog, cliffs, stream
Signs	8
Boardwalks	0
Bridges	0
Parking lots	0
Benches	1
Trash Cans	0

Management Plan

Annual Maintenance

- Trail & trailhead cleanups: 2

2015 Goals (Special Projects)

- Install 2 signs
- Install trail intersection markers
- Fix fencing and gates at Deer Park

2017 Goals (Special Projects)

- Control off-leash dogs

2025 Goals (Special Projects)

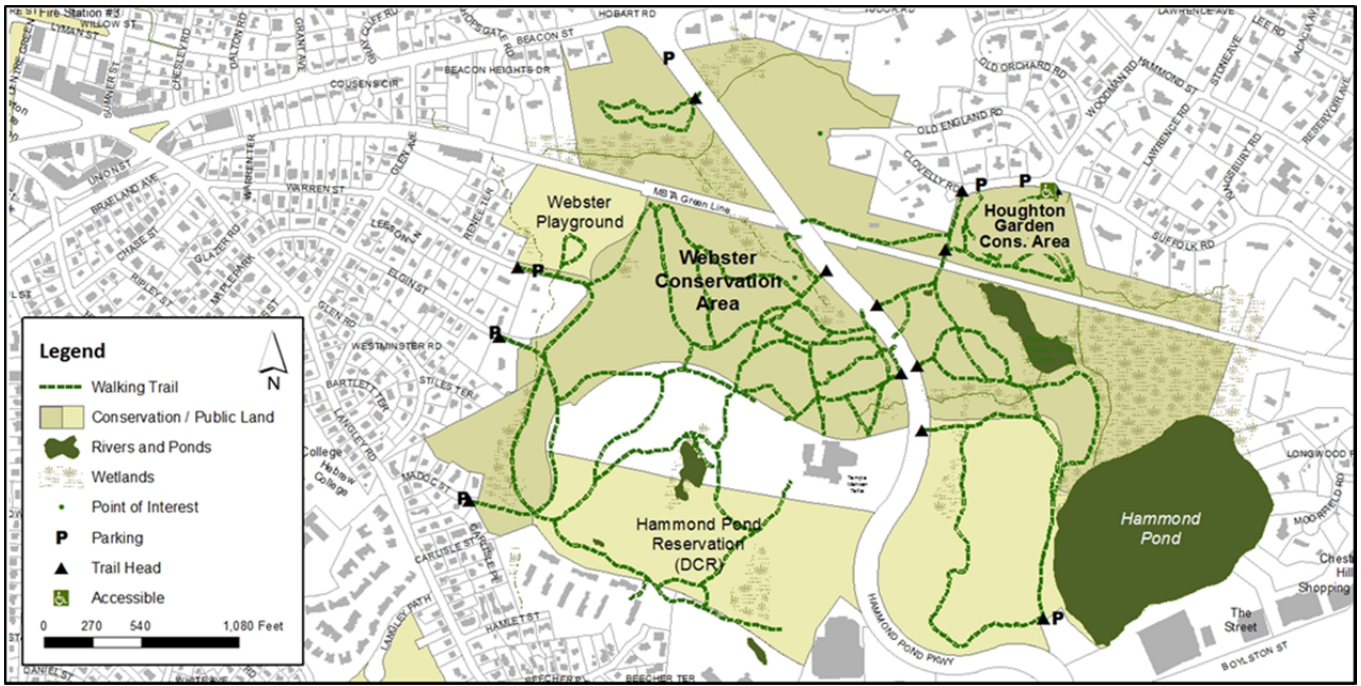
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The City of Newton acquired a number of parcels, mostly through eminent domain from the former Webster and Houghton 'estates.' The parcels are located immediately to the east and west of Hammond Pond Parkway, and on either side (north and south) of the MBTA track. Parcels on the west side of Hammond Pond Parkway are usually combined under the label 'Webster-West,' including two large parcels at the end of Warren Street on the south side of the MBTA track, and four parcels north of the MBTA track. Two additional abutting areas were acquired along Thompsonville Brook (Elgin Conservation Area and Cohen Conservation Area).

Webster-East is a large parcel to the north and west of Hammond Pond, and south of the MBTA track. On the west end of Houghton Garden, a lane leads from Suffolk Road to the MBTA track where there is a pedestrian crossing. From the crossing, the path can be followed through Webster-East and across land owned by MA Department of Conservation and Recreation to the Chestnut Hill Shopping Center. See also: Deer Park and Houghton Garden.

The 7.59-acre Cohen parcels, and an additional 1.6-acre Cohen annex, is located at the end of Madoc Street. It is wooded with rock outcrops, and includes the upstream end of Thompsonville Brook and associated bordering vegetated wetland. It abuts the Elgin Street Conservation Area and the Webster (West) Conservation Area, as well as a parcel of land owned by Department of Conservation and Recreation.

The Deer Park (part of Webster-East) site is bordered by Hammond Pond Parkway on the west. A 14.06-acre parcel that once contained close to 40 deer, when acquired, it was with an understanding that the city would care for the deer. When MA Wildlife took note of the situation, it wanted the deer released, but the City instituted a birth-control program, instead, darting the females with contraceptive implants each spring. The last of the herd perished during the winter of 2010-2011, and the Conservation Commission is currently assessing the area for new uses.



Wilson Conservation Area	
Acres	0.5
Year Acq.	1986
Trailheads	0
Trails (ft)	50
Natural Character	wooded
Signs	1
Boardwalks	0
Bridges	0
Parking lots	0
Benches	0
Trash Cans	0

Management Plan
<u>Annual Maintenance</u>
<ul style="list-style-type: none"> Trail & trailhead cleanups: 2
<u>2015 Goals (Special Projects)</u>
<ul style="list-style-type: none"> Install 1 sign
<u>2017 Goals (Special Projects)</u>
<ul style="list-style-type: none">
<u>2025 Goals (Special Projects)</u>
<ul style="list-style-type: none">

The Wilson family donated this parcel from their holdings at 15 Bracebridge Road to the Conservation Commission around 1992. Located in Newton Centre between Hancock Avenue and Park Lane and between Greenlawn Avenue and Bracebridge Road, this 0.5-acre wooded lot is accessible from Greenlawn Avenue or Bracebridge Road. The parcel is adjacent to or lies over parts of the Cochituate Aqueduct and the Sudbury Aqueduct.



Memorandum

To: Members of the Zoning and Planning Committee

From: Alderman Baker

Subject: Phase 1 Zoning public hearing

Date: May 11, 2015

Because I cannot attend the discussion in person, and have some specific questions or comments, I thought I should put them in writing. Because this is such an important effort, I hope we can have all these addressed and rectified, if necessary, before we report the draft to the full Board. The caution flag they raise is whether there are others that still require one last proofreading by our staff, since this draft was supposed to be in legal form and character, suitable for adoption, as I understood it.

They are in page order:

p. 1-12 D 1: small lower case x should be equal sign?

p. 2-2, .2.2: This provision saying only site plan review is required may need rewriting. Religious and educational uses can be subject to special permit when involving an extension of a nonconforming structure. See Section 7.8.2 on page 7-23. The case involving Boston College invalidated some of the dimensional zoning but not the special permit or the process on which it was based. This needs rewriting. Moreover, Section 3.3.2 on page 3-22 specifically allows the use of a special permit in the case of certain educational uses, and parking waiver special permits have occurred for such uses in the past – see. 5.1.3 on page 5-3. Note also that those requirements, set forth in the Table, do not include institutional uses, other than dormitories which should be included? Finally, see p. 6-10 where non accessory uses to a religious institutions requires a special permit.

p. 3-23: In the Table in the middle of the page, should it not say lot area per single family use? (See Table 3.4.1 on page 3-25 where such a term is used.)

p. 3-26: The reference to Accessory Apartments is wrong: Section 6.2.5. refers to Assisted Living or Nursing Home. The correct reference should be to Section 6.7 on page 6-17.

p. 6-3, Section 6.1 – Use determination by CIS: is it clear, where no building permit is required, that a use determination with which an abutter disagrees is appealable to the ZBA?

p. 7-23, Section 7.8.2: Nonconforming uses should be retitled nonconforming uses and structures. See subsection C, and should 7.8.3 be a separate section since it speaks to when a special permit is not required where the former section does so? (Note if a section number is changed, or its title, some global search should be done to make sure that any cross-references that exist are corrected.)

Finally, while I am not sure of where it now appears, it is important not to undo, but inadvertence, the careful changes made by the Board of Aldermen to avoid substandard residential lots from being built upon. Section 7.8.4 refers to substandard commercial lots only, so care may need to be taken with that or its equivalent section elsewhere.