

Brookline GreenSpace Alliance is a non-profit membership organization dedicated to the enhancement of open space in Brookline by supporting citizens in caring for their green spaces.

# PLACE

Fall 2016

## Rebirth of a river and other updates

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**Editor** Marian Lazar

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## Can we live at peace with the geese?

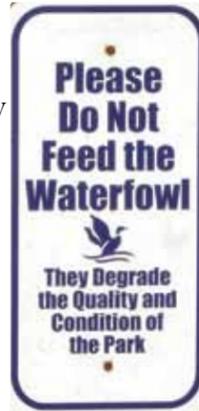
**A**mong waterfowl (ducks, geese & swans) of North America, Canada geese are second only to swans in size. Their long black neck and white cheek markings are particularly distinctive. Also distinctive, is the honking of migrating geese; the sound that clearly evokes an image of wildness. For centuries, Canada geese have passed through Massachusetts on their migrations to and from their arctic breeding grounds. Prior to the 1930's, it was unusual for geese to nest here, yet today in Massachusetts you can find Canada geese any time of the year. In fact, in some areas, people feel that there are too many geese! Why the change?

In 1935 the use of live geese with clipped wings as decoys became illegal. Descendants of the decoy geese were raised in captivity and never learned to migrate. In the 1960's and early '70's, a translocation project carried out by Mass-Wildlife involved moving non-migrating birds from the coast into central and western Massachusetts, to the applause of both hunters and non-hunters. No one foresaw the population explosion which followed. With town-imposed restrictions on hunting and few predators, resident goose flocks grew. In 1983, MassWildlife biologists estimated 10-12,000 of the geese were probably year-round residents. The 1997 survey estimated 38,000 geese statewide.

In urban and suburban areas, geese favor grassy areas near water. Goose overpopulation in parks such as the Brookline Reservoir and the Emerald Necklace are particularly troublesome. As goose numbers increase, so do problems, especially with goose droppings. Canada geese produce from half a pound to a pound and half of droppings per goose per day. Large flocks of geese impact parks by over-grazing lawns and by the amount of feces on both park surfaces and extra nutrients entering the water. Aggressive behavior by the birds becomes a hazard at nesting time.

Geese are protected by the Migratory Bird Treaty Act. Although limited hunting is allowed, this is not practicable in urban areas. Other allowed options are hazing, such as the use of border collies to chase geese, erecting barriers such as hedges or fences, and signage to discourage feeding by the public. Two other tactics are allowed with a permit from MassWildlife. These are egg addling (treatment of eggs to prevent hatching) and trapping and euthanasia. Except for euthanasia, all of these methods have been extensively applied in Brookline, without permanent effect.

Regional solutions are being sought to provide a healthier environment for all.



## Warrant Article 8 – Let's distinguish Brookline's character

**I**n my early professional career, I commuted daily, by bicycle, from the Coolidge Corner area to Copley Square. The most direct route was down Beacon Street, but most mornings I chose a more indirect route —down Beech Road past Longwood Mall. It was the expanse of majestic Beech trees, dating from the 19th century, and the air, cool and fresh, (and of course the slight downgrade) that motivated me to follow that path.

That pleasant memory came to mind recently when, as a member of the River Road Study Committee, I came to realize that the re-zoning of the Industrial Island, bounded by Brookline Avenue, River Road and Washington Street at Brookline's entrance from Boston, offered an opportunity. Brookline has long been noted for its street trees. In fact, the Tree Planting Committee, established in 1885 by an act of the State Legislature, has made special effort to plant trees at each entrance to Brookline. As reflected in plans endorsed by the Board of Selectmen for the last decade, the hardscrabble Washington Street entrance from Huntington Avenue is especially deserving of substantial greening. At 25 Washington Street, the site of a former Gulf gas station, an 11-story, 175-room hotel has been proposed. New zoning will allow the tall building to go right to the sidewalk with a 4 foot overhang over the sidewalk.

The current proposal is to build the hotel with a minimum 8' sidewalk. Warrant article 8 for the November 2016 Town Meeting asks Town Meeting to approve a sidewalk that is at least 18' wide, with 10' reserved as a planting strip for trees and shrubs to serve as a buffer between pedestrians and the cycle track planned as part of the Gateway East project. It is modeled on a pedestrian path/cycle track on Western Avenue in Cambridge. Article 11 is a resolution asking the Board of Selectmen to "use their best efforts to widen the sidewalk at 25 Washington Street enough to allow a planting strip that includes a row of full-canopy trees to separate the proposed cycle track from pedestrians."

Of course, this is not a new idea. Softening and greening and making the area pedestrian-friendly were part of the Gateway East Plan adopted in 2006. It follows the 2005 Comprehensive Plan which recommended "Redesign the streetscape with new lighting and street trees planted close to the roadway". As part of the 2014 Concept Plan for the Children's Hospital medical office building at Two Brookline Place, Mikyoung Kim Landscape Architects suggested that the "View from Route 9 as one arrives in Brookline from Boston must include robust tree canopy and landscaping, acting as visual gateway into Brookline." If Article 11 is passed by Town Meeting, the Selectmen, as the Town's executive body, could ask a Design Advisory Team (DAT) to provide a design including full canopy trees to lend some balance to the tall building and respect the needs of pedestrians. We should work toward a design that would allow that hint of fresh air and the vibrant seasonal foliage to welcome pedestrians and cyclists entering Brookline under the Curley Overpass/Jamaicaway in much the same way as my ride along Longwood Mall refreshed my spirit those many years ago.

*Hugh Mattison, Articles 8 and 11 sponsor, Town Meeting Member Precinct Five and Chairman, Tree Planting Committee*



This pinch point would be an impediment to both pedestrians and cyclists



Cycle track along Western Avenue separated by a planting strip



Rendering of cycle track and sidewalk, with 10' planting strip as buffer for safety and attractiveness.

# Updates

## Muddy River Project Phase 1—Completed



It has been twenty years since the October 1996 floods that helped to finally focus attention on the need for the Muddy River Project and more than twelve years since the planning and permitting for the Project was begun.

So completion of Phase 1 is truly a milestone and cause for celebration. The first phase of the project includes: (1) daylighting of the Muddy River in front of the Landmark Center and between Brookline Avenue and Avenue Louis Pasteur so that the river is once again visible in that area, (2) removal of the jughandle road and other roadway changes, (3) new enhanced wetland plantings along the river's edge and (4) rebuilding of bridges to prevent flooding.

The plantings are in keeping with the original planting design of Frederick Law Olmsted, America's foremost landscape architect, who originally designed the Muddy River parks as part of the Emerald Necklace, now on the Federal Register of Historic Places

Phase 2 of the project will address the portion of the river in Brookline. Currently this phase of the project includes only partial dredging. Because of costs, relandscaping of the banks to preserve the river from once again deteriorating has been removed from the Army Corps project and will have to be provided for locally.

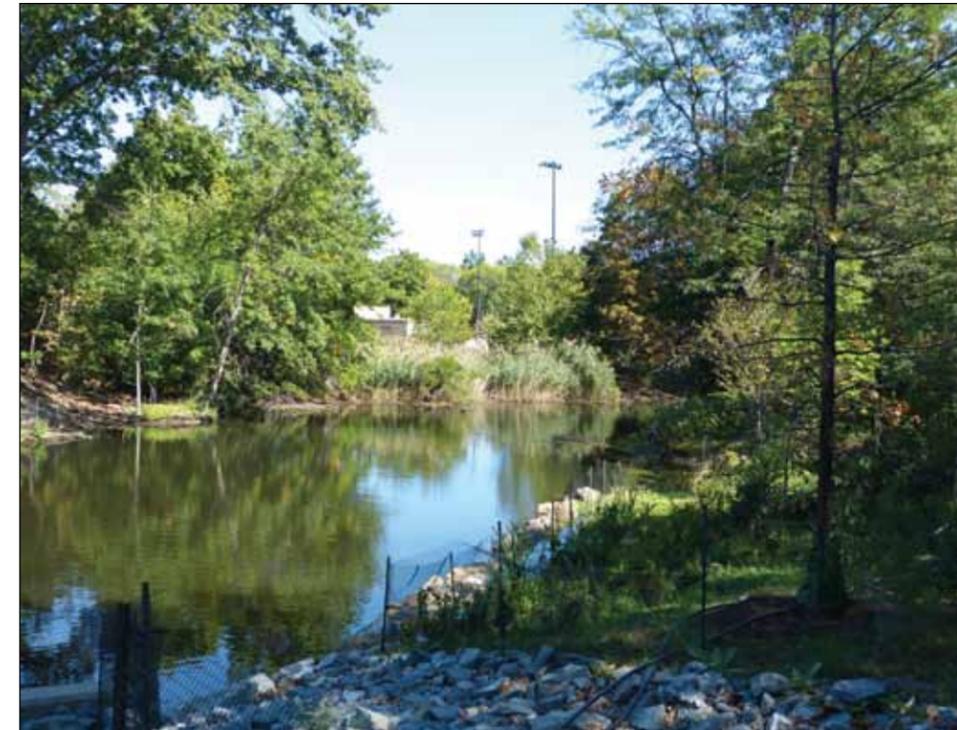


The photo on the cover of this issue shows a view of the daylighted river in front of the Landmark Center.

Clockwise from top left: two additional views of the newly revealed Muddy River at the Landmark Center.

New plantings below Avenue de Louis Pasteur.

Bridge/culvert at Avenue de Louis Pasteur.



# Updates

## Brookline opens new park on Fisher Hill



*Excerpt from Erin Gallentine's speech at the park opening.*

Today we celebrate the opening of Fisher Hill Reservoir Park to the community. A remarkable 10 acre parcel where once stood a critical and fundamental component of the region's water distribution system.

When we took over this site from the Commonwealth it was in reproachful condition. The gatehouse was crumbling and the site was totally overgrown with invasive vines and vegetation from one corner to the other. We were committed to creating a park for the community that would be welcoming to all and were incredibly fortunate to benefit from the unparalleled talent and vision of our design team; Klopfer Martin Design Group/Touloukian and Touloukian /Mitch Ryerson

They led us through an incredible process by which we collectively created a magnificent public park, for all ages and abilities that provides a respite from a city, access to nature, opportunities for play, but also celebrates the cultural and historic significance of the landscape.



Opening ceremony at Fisher Hill Reservoir Park, last July.

Top to bottom: Promenade with GreenSpace Grove; Arlene Mattison, BGSA President, with list of GreenSpace Grove donors; view of the field with the restored gatehouse, at the park opening.

BGSA holds the Conservation Restriction on the park, guaranteeing its use for active and passive recreation.



## When is a playground not a playground? (continued)

The Spring 2016 issue of PLACE contained an article on land protection and Article 97. It included the case of a playground in Westfield MA which that city would now like to convert to another use. The final decision in this case will affect open space throughout the state.

### Appeals Court Rules Land Not Protected by Article 97

Article 97 of the state constitution does not protect all playgrounds and open space. The Massachusetts Appeals Court decision on August 25, 2016 in Smith v. City of Westfield is another recent court ruling to that effect. The Court determined that land acquired by the City of Westfield to satisfy a tax debt and converted to a municipal playground was not subject to Article 97 protections because the property was not acquired for an Article 97 purpose and no documents were ever recorded that dedicated the land for Article 97 purposes. The plaintiffs argued to the Court that the playground had Article 97 protection because a city ordinance designated the parcel as a playground, the city accepted a federal Land and Water Conservation Fund (LWCF) grant for the playground, and the Statewide Comprehensive Outdoor Recreation Plan required land with a LWCF grant be subject to Article 97. The Court disagreed, ruling that none of those actions showed the city had designated the land in a manner sufficient to invoke Article 97 protection. In a compelling concurring opinion, Judge Milkey agreed that two Supreme Judicial Court rulings mandated the Appeals Court's decision but hoped the SJC would reconsider those precedents in light of current conditions.

Westfield residents appealed to the Massachusetts Supreme Judicial Court (filing a petition for Further Appellate Review, or "FAR"), asking the SJC to review and reverse the Appeals Court decision. Attorney General Maura Healey filed a letter in support of the FAR petition, as did the Massachusetts Association of Conservation Commissions (MACC). MACC hopes the SJC will accept the case for review and redefine its case precedents so that lands that have been used for open space such as the park in Westfield have Article 97 protections. If the SJC accepts the case, MACC intends to file an amicus brief with the Court.

## Changes to Lost Pond Sanctuary

As the Town completes the capping of the back landfill, located off Newton Street in South Brookline, abutting conservation land, part of the Lost Pond Sanctuary will also be affected. The Town of Brookline acquired the land which is now Lost Pond Sanctuary in 1945 for use as a landfill and incinerator site. The incinerator went into operation in 1952, and the ash was dumped on what is now the DPW facility, and in a valley that formed the Lost Pond outflow. In spring, 1975, the incinerator was closed and the landfill operation ceased. In 1982, Brookline Town Meeting voted to transfer the control and management of 30.2 acres from the Department of Public Works (DPW) to the Conservation Commission for conservation and passive recreational use. This includes a "finger" of waste, covering the pipe carrying water from the pond to a marsh in Newton. Before the back landfill is capped, the waste from this "finger" of conservation land will be pulled back to the area being capped. The stream flowing from the pond will be daylighted and relandscaped. The existing trail will cross this new stream on a 45' long boardwalk. Work is expected to start next spring.

Boardwalk at Lost Pond





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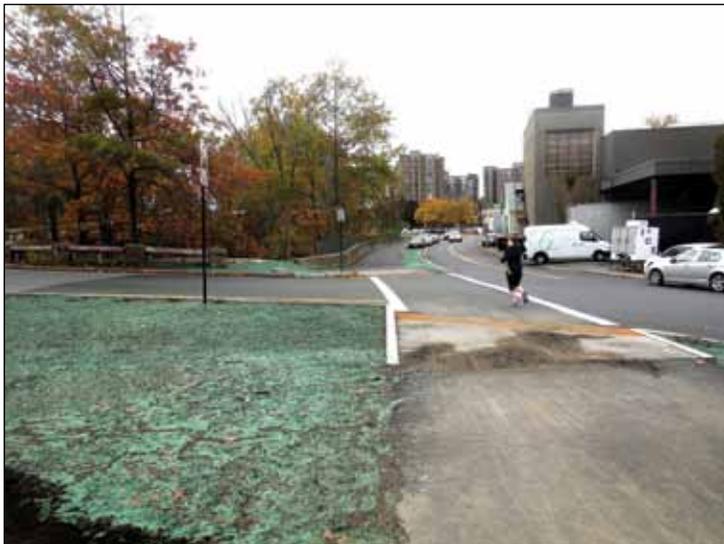
## Emerald Necklace Bicycle and Pedestrian Crossing Improvements

A long-orphaned section of Riverway Park has been recovered. For a number of years, this was the favored site for dog-walking by the animal hospital on Brookline Avenue. Over the past 6 months, this area has been transformed into a vital link in the bicycle/pedestrian path that runs from the Chestnut Street rotary through Olmsted Park and crosses Washington Street. The Riverway/Olmsted Park connection included closing the off-ramp exit from the Riverway to Brookline Avenue behind the Industrial Island. The project also included the creation of a signalized crossing on Washington Street for pedestrians and cyclists traveling along the Emerald Necklace.

Plantings will consist of 40 trees, including many larger species – maple, oak, and tupelo – and over 300 shrubs.



Signalized crossing at Washington Street



The new bike path on River Road has been hydroseeded and is already in active use

The designer was landscape architect Marion Pressley, FASLA, Principal of Pressley Associates, who designed the planting plans for Olmsted Park and Phase 1 of the Muddy River Restoration Project. One of the species of tree—American Yellowwood (*Cladrastis lutea*)—will be new to Olmsted Park. A 50' tree at maturity, its autumn foliage is a soft mix of yellow, gold and orange. Its fragrant white June blossoms resemble wisteria flowers. A hardy tree, it tolerates a wide range of soils. Two will be planted on the Olmsted Park side, and three planted on the Riverway Park side.

# Update