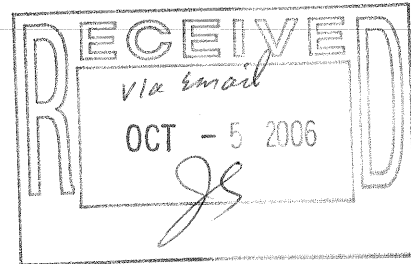


Uplands Advisory Committee

October 4, 2006



William Chin, Chair
Zoning Board of Appeal
C/o Jay Szklut, Planning and Economic
Development Manager
Homer Municipal Building
Belmont, MA 02478

Re: 40B Uplands - Advisory Comments

Dear Chairman Chin:

In our role of advising with regard to the Belmont Uplands, we are of the opinion as regards the following items.

1. Legal Advice: Legal counsel to the town, Koppelman & Paige, has considerable depth and breadth of knowledge with regard to the 40(b) process and, in particular, past Housing Appeals Committee decisions. In particular, attorney Judith Cutler of that firm has a formidable background and skills in advising on these issues. We strongly urge that the Zoning Board of Appeals utilize this resource in its forthcoming phases.
2. MEPA Review: Until the proponent has complied fully with the regulations contained in MEPA Chapter 30 - Section 61, the ZBA should require that no comprehensive permit be issued on the proposed Belmont Uplands development. Furthermore, there should be no disruption on the site until prior permission has been given by the ZBA.

In particular, we feel that the ZBA should retain the right in this process to modify its earlier decisions and authorizations (a) based on the MEPA review, (b) a thorough review of all changes made in the project subsequent to the documents, dated December 6, 2005 pertaining to the 299-unit Residences at Acorn Park, and (c) any new data and regulations pertinent to this application before issuing final permits.

3. Drilling the Details: As much as practicable, this Committee urges that the full ramifications and details associated with the developer's proposal be explored and specified in full, wherever possible. Among others, this development borders a fragile ecosystem, is in the throat of a congested commuter area and will impose significant impacts both in construction and in operation. The better prepared the Town is for the full effects of the development, then the better the outcome for all concerned. Our earlier requests for details (see our January 27, February 7, and March 22, 2006 letters) have been in the main either ignored or inadequately

addressed by the Developer. We trust that the ZBA decision process will treat these concerns with gravity and see that they are addressed in a thorough, detailed and particular manner.

4. Neighborhood Effects: As you are aware from the hearings, the proximate neighborhoods in Belmont and Arlington have recurrent problems with flooding and sewage backups into their homes. In addition, the Alewife Brook has been subject to raw sewage discharges as well. We urge that this project ameliorate, if possible, and, at the least, not exacerbate these deleterious flooding and sewage problems.

We appreciate the considerable time, effort and intelligence that the Zoning Board of Appeals has provided and demonstrated with regard to the 40B application. Our objective is support your role in bringing the best possible project to the Town of Belmont in the months ahead.

Sincerely yours,
UPLANDS ADVISORY COMMITTEE:

Martin Duffy, Chair
Carolyn Bishop
Roger Colton
Deborah Emello
Douglas Matson
Martha Moore
Roger Wrubel