

**MEETING MINUTES**  
**Belmont Conservation Commission**  
**September 15, 2020 Meeting Minutes**  
**Virtual Meeting via Zoom Meeting**  
**7:00 pm**

**RECEIVED**  
**TOWN CLERK**  
**BELMONT, MA**

DATE: April 1, 2021  
TIME: 8:40 AM

**Attendees:**

Members: Jim Roth (Chair); Jeff North (Vice Chair); Miriam Weil; Christopher Morris; Peg Velie; Dan Nolan; Mark Smith (Associate)

Others: Ara Yogurtian (host); Mario Francucci; Justin Roe; Mike Moscowicz; Al Gala; Judy Otto; Rich Kirby; Alaina Mencinger; Lucianna Ascanamo-Momose; Roy Epstein (Liaison from Board of Selectmen); Frank Dill; Jared Goentzel; Leah Basbanes

**Call to Order:**

The Meeting was Called to Order at 7:04 pm by Jim Roth

**Approval of April 14, 2020; April 23, 2020; and July 28 , 2020 Minutes:**

Based on motions duly made and seconded, the Commission

**VOTED** to approve the minutes of the April 14, 2020; April 23, 2020;, and July 28, 2002 meetings of the Conservation Commission

**Appointment to CPA Committee**

Based on a motion duly made and seconded, the Commission

**VOTED** to appoint Margaret Velie as the Commission's representative to the CPA Committee

**Certificate of Compliance for 148 Winter Street (104-43)**

The Commission discussed the issuance of a Certificate of Compliance for the work regulated under DEP File number 104-43. Mary Trudeau and Margaret Velie viewed the site prior to the meeting and agreed that the work appeared to have been satisfactorily completed.

Based on a motion duly made and seconded, the Commission

**VOTED** to issue a Certificate of Compliance for the DEP Files 104- 43

### **Discussion: Clay Pit Pond Outlook and Seating Area Project**

Mark Smith provided a recap of the recent meeting with the Historic Districts Commission to discuss the proposed construction of a seating area, and an outlook structure, at Clay Pit Pond. Mark reported that the meeting was productive, and that while work at Clay Pit Pond will not require a formal hearing with the HDC, the HDC would like the opportunity to comment on any proposed structures or features. The HDC also supported the Conservation Commission's plan to engage a landscape architect for the design of the new features.

### **Discussion: Clearing Work at Clay Pit Pond**

Chris Morris, and other members of the Commission, reported observations of clearing work ongoing at Clay Pit Pond. The work appears to be ongoing, and is resulting in the removal of trees along the Bank of the Pond. Mary Trudeau and Jeff North noted that recent conversations with Chris Polatin noted that he had planned to return to complete the control of non native and invasive plants at Clay Pit Pond, but were unclear whether the observed work was being done by Chris and LandStewardship. Mary agreed to investigate the observed cutting.

### **Discussion: Rock Meadow and Parking**

Dan Nolan, and other members of the Commission, noted that parking is, again, a problem at Rock Meadow. They noted that police have been called to enforce parking, and that problems with overparking have been noted at both entrances to the site. It was noted that off-leash dogs continue to be problematic.

The Commission also noted the efficacy of the social distance mowing this past summer, which doubled the width of the walking path to 8 feet. Mary Trudeau noted that mowing cost doubled this summer due to the expanded mowing.

### **Notice of Intent Public Hearing for 68 Stony Brook Road**

Rich Kirby and Al Gala presented the proposed redevelopment of the property at 68 Stony Brook Road. The application includes demolition of the existing home, and the subsequent reconstruction of a single family dwelling on the property. The work is within jurisdictional buffer zone and Riverfront Areas associated with a waterway (assumed to be perennial by the Belmont Conservation Commission).

Rich Kirby noted that while the stream at the back of the property does not meet the DEP standard for protection as a perennial waterway, the applicant has honored the Commission's long standing belief that the waterway is, indeed, perennial. Chris Morris noted that the footprint of the house could be shifted away from the brook, and questioned why this alternative had not been submitted to the Commission. Rich noted that the front yard setback proposed reflected the setbacks existing on adjacent properties. Margaret Velie also questioned whether the house should be set closer to Stony Brook Road. She noted that the Redevelopment Standards for Riverfront Area require that no work occur closer to the resource area than the existing structure. Rich Kirby noted that the existing impervious patio was considered the closest degraded area to the brook, and that the new footprint did not extend as far as the existing patio extends. Rich also noted that the DEP suggests that projects, such as this, be reviewed jointly as New Construction and Redevelopment, and that as new development, the applicant is permitted to propose alterations of ten percent of the Riverfront Area, or 5000 sf, whichever is greater. He stated that the work proposed meets this standard.

The Commission reviewed the site plan, and agreed that a site visit should be done for this property. This visit was scheduled for noon on Tuesday September 22, 2020. The Commission expressed an interest in viewing the condition of the existing patio, as well as the Riverfront Areas to be impacted by the expanded footprint.

Based on a request by the applicant's representatives, the Commission

**VOTED** to continue the public hearing until the October 6, 2020 meeting of the Conservation Commission.

#### **Notice of Intent Public Hearing for 90 Agassiz Avenue**

Frank Dill, and Leah Basbanes represented the Ascanamo-Momose family in their Notice of Intent filing for an addition to the existing dwelling at 90 Agassiz Avenue. The property is within the Riverfront Area resource area associated with the Beaver Brook, to the south. Frank Dill reviewed the project with the Commission, noting that work would be closer to the Beaver Brook than currently exists. He noted that due to the limitations on this lot, the only location for the proposed addition is to the rear of the home. He noted that a variance will also be required from the Belmont Zoning Board of Appeals, and that the Order of Conditions is a necessary component of the ZBA filing.

Mary Trudeau noted that removal of several large trees had been recently done within the 100 foot Riverfront Area, and that this work had not been reviewed by the Conservation Commission prior to the tree cutting. Christopher Morris commented on the storm water management system proposed appeared to be less than two feet in vertical separation from the seasonal high water table. He also asked for details on the overflow for the infiltration system, as well as some grading information on the rear yard area. The Commission noted that a restoration of the 0-25 foot buffer zone should be proposed in the filing.

At the applicant's request, the Commission

**VOTED** to continue the public hearing for 90 Agassiz Avenue until the October 6, 2020 meeting of the Commission

#### **Request for Determination of Applicability: 269 Prospect Street**

Justin Roe, the owner of 269 Prospect Street, presented the proposal to install aeration devices and a well within one hundred feet of a small, manmade impoundment, and adjacent Bordering Vegetated Wetlands. The applicant noted that the pond was built in the 1930's, and is heart-shaped to reflect the employment of the cardiologist who originally built the pond. Work proposed includes aeration devices to improve water quality and a shallow well to supply irrigation water to the pond.

Mr Roe noted that the proposed well is approximately 25 feet from the wetlands line. The Commission asked that erosion controls be employed for the installation of the well head. The Commission noted that slurry can be hard to contain, and despite the minimal amount generated by this particular proposal, they should be used during the drilling process to prevent sedimentation of the wetlands.

Based on a motion duly made and seconded, the Commission

VOTED to issue a Negative (3) Determination of Applicability for the work proposed.

**Service Day on October 25, 2020**

Miriam Weil noted that her Temple is hosting a community service work day on October 25, 2020 and she would like to offer an outdoor project at one of the properties controlled by the Commission. Mary Trudeau agreed to meet her at Clay Pit Pond to determine a scope of work..

Upon a motion duly made and seconded, the Commission **VOTED** to adjourn the meeting at approximately 8:17 pm