

MEETING MINUTES
Belmont Conservation Commission
October 6, 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; Charles Chang; Mark Smith (Associate)

Others: Ara Yogurtian (host); Carolyn Bishop; Judy Singler; Al Gala;; Rich Kirby; Laura Vanderhart; Lucianna Ascanamo-Momose; Roy Epstein (Liaison from Board of Selectmen); Frank Dill; Jared Goentzel; Leah Basbanes; Michael Soraghan, PE

Call to Order:

The Meeting was Called to Order at 7:30 pm by Jim Roth, thirty minutes later than expected, due to technical issues with the Meeting sign in process.

Certificate of Compliance for 25 Greybitch Circle (106-138)

The Commission discussed the issuance of a Certificate of Compliance for the work regulated under DEP File number 106-138. 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 106-138

Discussion: Clay Pit Pond Outlook and Seating Area Project

Mark Smith noted that he has reached out to a local landscape architect with experience in creating public outlooks, such as the one proposed for Clay Pit Pond. He noted that Mary Trudeau and he would be meeting with Duke Bitsko next week to view Clay Pit Pond and request a proposal for the design work.

Bee Keeping Permit: Philip Thomas

The Commission reviewed a bee keeping permit from Philip Thomas, to keep hives at Rock Meadow. Mr Thomas is hoping to relocate a few of his hives from other locations, to Rock Meadow, for the winter, and potentially add hives next spring. He requested permission for up to (6) hives. Based on Mr. Thomas's credentials, it appears that he is an experienced bee keeper, with a successful track record of producing sustainable hives.

Based on a motion duly made and seconded, the Commission

VOTED to approve the use of Rock Meadow for up to (6) hives by Philip Thomas. The motion required Mr. Thomas to work with the existing bee keepers in siting the hives.

Continued Notice of Intent Public Hearing for 68 Stony Brook Road

Rich Kirby and Al Gala presented a modified landscaping plan for the proposed redevelopment of the property at 68 Stony Brook Road. The landscaping incorporated the canopy of an existing magnolia tree, located in the lower portions of the buffer zone, as well as a variety of native shrubs on either side of the lot. Rich stated that the increase in impervious surface proposed in the NOI was approximately 289 square feet, and that the proposed mitigation planting areas approximated 1400 square feet of new, native vegetation.

Rich also noted the addition of a permeable paver patio, to the rear of the proposed dwelling. He noted that as the proposed patio is located greater than fifty feet from the wetlands edge, it does not require a permit from the Conservation Commission. He noted that the applicant has added it to the site plan for transparency in his proposals for the site. Al Gala reviewed the watershed break out requested by the Commission, noting that the stormwater management design was not impacted by the minor changes.

The Commission discussed the condition of the 0-25 foot buffer, noting that it was unclear if the restoration plantings, done by the Belmont Country Club through a historic enforcement action, remain. Rich noted that the applicant has no responsibility for these plants as they are not located on his property.

Based on a request by the applicant's representatives, and a motion duly made and seconded, the Commission

VOTED to close the public hearing for the Notice of Intent filing for 68 Stony Brook Road.

Continued Notice of Intent Public Hearing for 90 Agassiz Avenue

Frank Dill, Michael Soraghan 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. Michael Soraghan reviewed his soil logs with the Commission, noting that he believes the requisite vertical separation between the trench bottom and the groundwater table has been accommodated. He noted that the trench has been designed to have a sand layer below the bottom of the trench. Mike responded to comments by noting that the inlet and outlet are set at the same elevation, and that the outlet is subterranean. He noted that infiltration occurs through perforations in the 4 inch ads pipe, and that the discharges will function much the same as a level spreader, when surcharged.

The Commission noted that special conditions for this project will include 12 inch filtrex compost/chip filled tubes for erosion control; a requirement for photographs documenting the installation of the infiltration trench; and a requirement for storage of earth materials above the grade of the work area associated with the addition.

At the applicant's request, and based on a motion duly made and seconded, the Commission

VOTED to close the public hearing and issue an Order of Conditions permitting the work as described in the Notice of Intent, with the standard conditions, plus the above noted specific conditions

Request for Determination of Applicability Public Meeting for Keolis Five Year Vegetation Management Plan

Mary Trudeau noted that the applicant, Fair Dermody, was unable to attend the meeting and that she had agreed to present the Vegetation Management plan to the Belmont Conservation Commission on their behalf. She noted that the plan was similar to that proposed in other Keolis Vegetation Management Plan submissions, and that the extent of wetlands resources shown on the plans for the work appeared reasonable. She noted that the applicant has requested a Negative (2) Determination of Applicability, and a Negative (5) Determination of Applicability.

Upon a motion duly made and seconded, the Commission

VOTED to issue a Determination of Applicability for the Vegetation Management Plan submitted by Keolis for the upcoming five year period. The Determination will be a Negative (2) Determination.

Discussion: Clearing Work at Clay Pit Pond

Mary Trudeau noted that she had investigated the tree cutting work done recently at Clay Pit Pond and determined that it was NOT done by Chris Polatin under the contract for the control of non native and invasive plant species. She noted that the work appears to have been done by some of the Veterans involved in the construction of the memorial. She noted that she would do further investigation to determine who exactly did the illicit cutting. She noted that there were few shrubs remaining in the cut areas, but that there were a considerable number of stumps projecting into the grassy areas upgradient of the Bank of Clay Pit Pond. The Commission asked Mary Trudeau to continue to research the sources of the cutting, and to begin preparations for enforcement and remediation.

Discussion: 68 Stony Brook Road

The Commission discussed the findings from the public review of the Notice of Intent filing. Members expressed concern with the condition of the 0-25 foot buffer zone, noting that it has been the policy of the Commission to require restoration of the 0-25 foot buffer zone through the issuance of Orders of Conditions for work on projects throughout town. It was noted that while the proposed mitigation was robust, it did not conform to the usual requirements of the Commission, and vegetated upper portions of the jurisdictional buffer zone and Riverfront Areas. The Commission also noted that FENO markers, or the like, should be set at the 25 foot buffer zone to alert future home owners of the sensitive nature of the area.

Based on a motion duly made and seconded, the Commission

VOTED to issue an Order of Conditions permitting the work as proposed, but modifying the mitigation plantings to restore the full 0-25 foot buffer zone.

At the completion of the vote, the homeowner asked to speak to the Commission. Jim Roth agreed to the discussion, despite the close of the public portion of the review of the Notice of

Intent. Mr. Diarbakerly spoke to the Commission, noting his unwillingness to agree to the modified planting plan. He posed several alternatives for the Commission to consider, despite the time for receipt of information having passed. After a heated discussion, the Commission agreed to have Mary Trudeau reach out to Rich Kirby, and to reconsider the vote at an upcoming meeting of the Commission. The Commission noted that it was late in the evening, and that discussions were unlikely to be productive at this time. Based on the need to issue within the 21 day window after the close of a public hearing, the Commission agreed to meet in three weeks, on October 27, 2020 to review their vote and reconsider their position.

Upon a motion duly made and seconded, the Commission

VOTED to adjourn the meeting at approximately 9:45 pm