

APPROVED

Belmont Conservation Commission December 4, 2007 Selectmen's Room
Town Hall 7:00 PM

Attendance: Chair Miriam Weil, Members: Carolyn Bishop, Nancy Davis, Martha Moore, Margaret Velie, David Webster, Associates: Monica King, Tino Lichauco, Darrell King, Agent: Mary Trudeau

Applicants: Alice Brown and Gregory White, for 25 Stony Brook Lane
Jim Ward: Nutter, McClennen & Fish, David Albrecht and James Bernardino:
TetraTech Rizzo, Steve Corridan: OPG, Julie Vondrak: Epsilon Associates for
Residences at Acorn Park

Town Consultant: Scott Horsley, Horsley and Witten,

Department of Conservation and Recreation: Dan Driscoll

Public: Mary Ries, Elsie Fiore, Sumner Brown, Patricia Lieberon: LWV

Arlington, Virginia Fuller, Barbara Passero: Save Silver Maple Forest, Kit Dreier,
Jennifer Angel, William Ackerly: FAR Cambridge,

Minutes of November 5, 2007 unanimously approved as amended on motion by
D. Webster, second by M. Velie.

Agent's report;

Rock Meadow: GPS study with M Trudeau and USDA rep. showed project short 5 acres of clearing. Work items changed from smooth mowing to rough mowing which is more expensive. Though money will be short in first years, it will be made up in later years. The shortfall over ten years is \$2-3000. Agreement not to push edges farther but there is area near gardens that is in USDA mapping so contractors have agreed to 3 more acres of work. Edge work nearly complete to preserve edge screening, except for buckthorn control. Paid out to date \$16,000, figure below first year estimate due to less invasives work. Swallowwort and ailanthus work still needed. Someone was caught by jogging policeman illegally cutting pine boughs; will make a donation to CC fund.

Belmont Country Club: (BCC) BCC requests joint enforcement order to both BCC of 181 Winter Street and Diarbakerly family of 68 Stony Brook Road for the illegal tree cutting. List of tasks will be attached to Order for restoration of plantings by stream, fencing and replacing stone wall earlier pushed into wetland and loamed with lawn. D. Webster moved to remove fence from enforcement action, restore stone wall and restore the topography. If there is a fence installed, there must be a 6 inch clearance from the ground. N. Davis seconded. Unanimous approval.

Northland Development: Requesting Certificate of Compliance but site visit with Keith Moore didn't happen so postponed to next meeting.

BCC: failed to record earlier Order of Conditions. Commissioners had to re-sign signature page of original order and re-issue Order of Conditions to be recorded. Site visit to occur before Certificate of Compliance issued.

Belmont Hill School: (BHS) M. Trudeau issued a Stop Work Order to BHS. Work begun without filing for NPDES permit, hadn't received nor recorded Order of Conditions yet. No DEP sign. Resumed work several times after being told to stop. Siltsock on catch basin tied on insecurely. Storm Water Pollution Prevention Plan (SWPPP) inadequate

71 Oliver Road: enforcement action: new patio and walkway built without permission, didn't build what given an OOC for. Will return to Commission.

68 Oliver Rd: enforcement action: dewatering without siltbag on hose, Ordered to stop: called in second crew to dewater faster, finally back in compliance. Foundation poured.

25 Shady Brook Lane: hearing opened 7:40 PM Property between Winn's Brook and Atkins Brook. Notice of Intent filed by Gregory White and Alison Brown for repairs and additions within the footprint except for addition of new deck. Repair deck, remove greenhouse enclosure on second floor and replace with enclosure that goes to first floor, add entryway on concrete walkway in front and deck mostly on concrete to back of kitchen. All impervious additions are already on existing concrete walkway in front and back. Yard is terraced down to wetlands. No DEP number issued yet so can't issue Order of Conditions until next meeting.

M. Weil moved approval, N. Davis seconded, unanimous approval. Hearing closed at 7:55 PM.

McLean Land Management Committee: may come to CC at January meeting on trail design project

Residences at Acorn Park: continued hearing opened at 8PM.

Introduction for public by David Webster: history of site, hearings, process and concerns.

T. Lichauco: entered three documents into record: Stormceptor patent information, US Patent to Vortechinics, 2 excerpts June and October letters re. DEP's position on TSS removal rate by Stormceptors

D. Webster: entered documents into the record: hydrologic report on USDA Soil Conservation service on figuring overland flow. Residences at Acorn Park 11/15/07 and 11/16/07 Site visit summary and cd of photos taken.

M. Velie: submitted Tri Town Working Group Progress Report on flooding, August 2005 report (from Town website), Mystic River Watershed Assessment and Action Plan 2006, Proposed Concord-Alewife Area Stormwater Management Guidelines, Fay Spofford & Thorndike, Comment Letter to ZBA April 27, 2006
David Brown: Migrant and Breeding Bird Survey 2002, Letter from David Morimoto May 23, 2003, Steve Kaiser Report
M. Moore submitted documents sent by Ellen Mass of FAR

Julie Vondrak; presented binder of all documents presented to date supplemental to earlier binder plus drainage report submitted earlier. No additional information except for mounding analysis submitted by email on Friday November 30, 2007.

David Albrecht: updated Notice with response letter, drainage report, site plans, 11x17 colored plan of impervious surfaces to Stormceptors or not, impacts to 25 ft buffer, alternate plan to minimize infiltration onsite and Friday 11/30/07 groundwater mounding analysis and perimeter analysis

Scott Horsley: submitted updated review letter incorporating applicant's information. Concerns include: highly constrained site surrounded by wetlands, substantial clay on property impacting groundwater conditions, fill on site, shallow water table conditions, concerns on source and analysis of data. Intense development of project, difficult to design and meet standards in WPA regs and DEP Stormwater Management Policy.

Submitting report plus 2 publications from Center for Watershed Protection
See Horsley Witten letter submitted 12/4/2007 for details

Questions/concerns from Commission included:

D. Webster: Stormceptor designed with equal inflow/outflow inverts. D. Albrecht stated as oversight and will adjust them slightly..

M. Velie: challenged TSS figures noting several areas not in treatment area therefore the calculations are incorrect. Perimeter drains to garages pump untreated water, therefore untreated discharge (v. standard #1) During a 10 yrs storm and 100 yr storm outfalls underwater therefore must pump against inflow.

C. Bishop: Concerns re sewage storage tank sizing for two day storage, wildlife habitat replication destroying valid habitat, fragmentation.

N. Davis inquired about the ramifications of DEP's new Stormwater Management policy standards as of 1/2/2008

T. Lichauco: requested alternative that doesn't alter a resource area
Applicant refused to consider such an alternative.

M. Moore: Ambient light impact on replication areas

Public comments: Dan Driscoll DCR: Submitted DCR Alewife Master Plan for record. Meeting standards of the act can still have a negative impact. Cumulative impact of development in area. Most densely developed watershed/floodplain in NorthEast. Requests Conservation Restriction be held by DCR jointly with Town. Recommended former rink site for area for flood storage and habitat enhancement.

Elsie Fiore: entered MAS booklet "Wetlands and the Water Cycle", citing specific pages as relevant, asked developer to give or sell property to DCR.

Kit Drier: President of Belmont Land Trust, CR still part of the ZBA Document submitted with Notice of Intent. J.Ward responded: CR issued after construction due to requirement for Meets and Bounds Restriction.

Barbara Passero: Submitted clippings and reports from ZBA hearings.

Bill Ackerly: FAR Cambridge: sighted 15 species on birdwalk this AM. Valuable resource for area ecology education.

D Webster: continued with request for information. See document submitted 12/4/2007 for further details. Submitted Mark Bartlett Report 12/4/07 on stormwater management.

Applicant response: presented plan as is, not going to present any more information or alternatives.

At the applicant's request, N. Davis moved to close the hearing at 10:30 PM and deliberations will continue at meeting of CC on December 10, 2007 at 7PM, Town Hall Conf. Rm #2. M. Moore seconded. Unanimous approval. The BCC has 21 days to respond. Request for extension due to Christmas was denied. Decision due on December 26, 2007. Hearing closed at 10:30 PM

S. Horsley: advice to CC.: have very clear standards for DEP, be focused, show how Notice doesn't meet Stormwater Standards 1,2,3,4. Show alterations and insufficient info. Such concerns as: CFSA restricted flow, hydraulic restriction, Require applicant to use as many low impact measures as possible. Project is not meeting detention or infiltration standards. Not infiltrating the other three roofs. Overdeveloping the site. Document CC's request for redesign to meet standards. Deny for failure to meet standards and for lack of information.

M. Moore moved to adjourn. N. Davis second. Unanimous approval
Adjourned at 11:10 PM Submitted by C. Bishop