

MINUTES: Belmont Conservation Commission Meeting on February 8, 2011

The meeting was called to order in the Selectmen's Meeting Room of Town Hall at 7 PM.

The next meeting is scheduled for March 1, 2011.

Attendance: Mary Trudeau, Conservation Agent, Chair: Miriam Weil; David Webster, Margaret Velie, Martha Moore, Jim Roth, Tino Lichauco, Associates Barbara Gardner, Brian Kelder and William McCants

Roger Colton	Belmont Energy Committee
Tony Alcorn	Belmont Energy Committee
Stewart Karger	34 Agassiz Ave. Belmont Nursing Home
Paul Finger	281 Winter St. Waltham PFA Associates
James Savar	Century 21 Adams Realty
Gerald Testa	Sherborn, MA proponent for 65 Oliver Road project
Cliff Rober	Surveyor for 65 Oliver Road project

REVIEW OF MINUTES OF JANUARY 4, 2011 MEETING

Margaret Velie moved that the minutes be accepted without amendments. Tino Lichauco seconded the motion and the minutes were approved.

MACC ANNUAL CONFERENCE

Mary Trudeau stated the conference will be held March 5 at Holy Cross University. Application forms were given to the members who stated an interest in attending. There is a \$95.00 fee that might be reimbursed by the Town of Belmont.

MIDDLESEX COUNTY CONSERVATION DISTRICT

Mary Trudeau announced that this organization sponsors a plant sale held in April. More information is available at the website: www.middlesexconservation.org or by calling (978) 692-9395.

The 2009 Annual Report will be emailed to all members by Mary. Suggestions or text for the 2010 Report should be sent to Mary Trudeau or Miriam Weil.

BELMONT ENERGY COMMITTEE

Roger Colton & Tony Alcorn presented the Proposed Tree Preservation and Maintenance Bylaw to the Commission. This bylaw was done in response to the recommendations of the Massachusetts Clean Energy and Climate Plan for 2002. This by law applies only to

the removal of trees done in conjunction with new buildings or major renovations, which require the removal of trees to facilitate construction. The Tree bylaw is intended to result in a “no net loss” policy for the Town with respect to significantly sized woody vegetation.

Of note, Section 4 states that the developer must replace significantly sized trees removed with a tree (or trees) of an equal number of inches of width. Alternatives to the replanting include payments to the Town in lieu of a site specific tree replanting. This will allow the Town to plant trees in areas where they are needed, without cost to the Town. There was a discussion about specimen trees & street trees, and the need for the Town to fund the replacement of trees lost through natural attrition, storm damage or disease. The bylaw will allow for the Town to maintain the existing tree population without drawing from the tax base.

Section 4.2 of the by-law notes that the by-law shall not apply if the Belmont Conservation Commission has jurisdiction, ie an Order of Conditions or Determination of Applicability will be issued for the project. This provision places the regulation of the removal of trees within jurisdictional areas onto the Commission.

The Energy Committee representatives noted that they would like the support for this by-law from the BCC.

Tino Lichauco made a motion that the BCC endorse a tree preservation maintenance by-law as described by the Energy Committee. Jim Roth seconded the motion. The motion was passed by the BCC.

BELMONT MANOR NOI (DEP File Number 106-105)

Stewart Karger and Paul Finger represented the Belmont Manor in the Notice of Intent filing for the addition to the existing building and stormwater management improvements proposed. This was a continuation of the Public Hearing of January 4, 2011.

There were many items that needed clarification from the previous presentation. Paul Finger explained that some portions of the parking lot would be changed to pavers to increase permeability; and the proposal has been modified to installing a rain garden that will recharge the water coming from the roof gutters, allow for some settling time and then flow over into the storm drain. Mr Finger noted that in the dry weather there should be no standing water in the rain garden.

Stormwater improvements include the installation of a 900 Series Stormceptor unit within the Town drainage easement. Belmont Manor will install the stormceptor & maintain the system. The Town of Belmont has agreed to sweep the streets regularly and will clean the catch basins within Agassiz Avenue at least twice a year. There is still a need for Belmont Manor to work with DCR & the neighbors for a planting plan, and this will occur during the site plan review with the Belmont Planning Board. Mary stated that the Belmont Planning Board may have requirements for drainage that will be an issue for

the developer, and could require modification of the Order of Conditions issued by the Conservation Commission.

Mary will receive a new set of documents from Paul Finger for the final reports including the updated plan for use in referencing the materials in the Order of Conditions.

David Webster made a motion to issue an Order of Conditions with a special condition stating that the applicant will maintain the stormceptor and the raingarden system. Jim Roth seconded the motion, and the approval was unanimous.

65 OLIVER ROAD NOTICE OF INTENT (106-106)

Cliff Rober and Gerald Testa presented new site plans and drainage calculations to the Commission. Gerald Testa, the developer stated that the revised plans were delivered to the Town Hall, but Mary stated that she never received them. The applicant provided a few extra copies for the Commission to review during the Public Hearing.

Mr. Testa provided proof of notification to abutters. There were no abutters present at the hearing.

The Commission discussed the comments made by the DEP concerning this proposal, specifically the finding that the foundation for the addition lies within the newly remapped FEMA A zone. The Commission noted that the foundation had been installed under an earlier Order of Conditions, and that the flood zone maps had changed in the ensuing years. The Commission noted that all of the other work within the Bordering Land Subject to Flooding resource area could be conditioned to result in no loss of flood storage if the patio and walkway at the rear of the dwelling be set at or below existing grades. Mr. Testa agreed to this condition. The Commission also found that “no compensatory flood storage would be required for work performed under DEP File Number 106-077 as the work predated the new FEMA maps issued on June 4, 2010.”

The Commission also reviewed the applicant’s proposal to infiltrate portions of the roof runoff. Mr Testa noted that it appeared that the infiltrator unit had been installed under the earlier Order of Conditions, and that some of the roof leaders from the existing roof may have been tied into the infiltrator. The Commission noted that the applicant would be responsible for “proving” that the infiltration unit had been installed correctly and that the roof leaders were tied into the unit. Mr. Testa agreed to the condition.

The Commission also requested that the patio and walkways within the Bordering Land Subject to Flooding Resource area be constructed of permeable materials, such as pavers.

The Commission also noted that the applicant would be required to submit an As Built plan showing that the pre development flood storage capacity equaled the post construction flood storage capacity, and that there had been no loss of flood storage within the FEMA Zone A land areas on this lot.

David Webster moved, and the motion was seconded by Jim Roth, to issue an Order of Conditions for DEP File Number 106-106, permitting the project with the conditions noted above. The vote was unanimous to approve the project.

MEETING WITH BOARD OF SELECTMEN

The Commission agreed to request agenda time on the March 21, 2011 agenda of the Board of Selectmen.

SNOW FARM ISSUES

The Commission discussed an informal request from Peter Castinino, of the Belmont Department of Public Works, to use portions of Rock Meadow for snow storage during future snow emergency situations. Mary Trudeau noted that the current snow storage area for the Town was on McLean campus, but that this was a temporary situation. She noted that the Town had limited storage areas and that the use of Rock Meadow could be advantageous to the DPW. Concerns discussed by the Commission included access issues, contamination of the meadow through the snow melt, damage to the topography of the meadow and the need to develop appropriate sedimentation controls and protocols for the use of any part of the property. It was generally agreed that using the southeast meadow, above the gardens, would be unlikely as the risk of contaminating the gardens was too high. The Commission agreed to discuss this issue with Peter Castinino over the next year and to work towards an equitable solution to the snow storage issue.

ROCK MEADOW COMMUNITY GARDENS

The Commission reviewed the garden expenses for the 2010 growing season and noted that the actual cost to run the program was approximately \$40 dollars per plot. This estimation included water costs, administrative costs, compost and trash removal costs as well as incidental expenses associated with tools and the water delivery system. The Commission noted that the current fee of \$25 dollars per year did not fully pay for the cost of running the program.

David Webster moved, seconded by Tino Lichauco, to raise the fees to \$40 dollars (forty dollars) per year, with provisions for accommodating those with financial hardship. The motion was unanimously passed.

THE UPLANDS (DEP FILE NUMBER 106-0072) UPDATE

The Commission discussed recent actions on the pending litigation.

ADJOURNMENT

The meeting was adjourned at approximately 11:00 pm