

**Belmont Conservation Commission Meeting** March 3, 2009 Room 2 at Town Hall at 7:00 PM

**Attendance:** Chair: Miriam Weil, Members: Tino Lichauco, James Roth, Martha Moore, Nancy Davis, Margaret Velie, David Webster  
Associates: Jeff North, Barbara Gardner  
Agent: Mary Trudeau (absent for portions of meeting)  
Public: Theo Kindermans, Ronald Gardner

**Minutes:**

Both Minutes February 3, 2009 and the executive session minutes were discussed, and approved. David Webster moved that the minutes be approved, the motion was seconded by Margaret Velie, and unanimously approved in a 7-0 vote.

**Certificate of Compliance for 35 Locke Lane:**

The Commission resigned the Certificate of Compliance and Order of Conditions for the 35 Locke Lane project (DEP file number 106-80) to provide the applicant with an original signature on the documents, as required for filing with the Registry of Deeds.

**Discussion of Woodward Conservation Restriction:**

The Commission noted that petitions or letters from the neighborhood could be effective in persuading the Selectmen to consider the Conservation Restriction for the Ernst Road property.

**Rock Meadow Discussion:**

The Commission discussed the upcoming work days in Rock Meadow.

**Community Preservation Act Discussion:**

Miriam Weil discussed the progress that the Town is making in evaluating the potential of the Community Preservation Act in Belmont.

**115 Oliver Road: Notice of Intent filing**

Theo Kindermans represented the applicant, Ronald Gardiner, in his filing of a Notice of Intent at 115 Oliver Street. Mr Kindermans noted that filing proposed to legitimize work that had occurred without the filing of a Notice of Intent. Mr Kindermans noted that the work included installation of a Jacuzzi, installation of a fence at the perimeter of the lawn area and the construction of an impervious raised patio at the rear of the house.

The Commission discussed the need to obtain a Certificate of Compliance for the work completed under the Order of Conditions for the construction of the dwelling, as well as the need

to mitigate for the illicit work. Concerns included the management of roof runoff, and the apparent non compliance of the existing home with a condition requiring the infiltration of stormwater. Theo Kindermans agreed to revisit the site and update the Commission on the site conditions.

Concern with the location of the fence and the location of the wetlands associated with the Pond were discussed. Mr Kindermans agreed to review the wetlands delineation and the location of the fence.

At the applicant's request, the Commission agreed to continue the public hearing process until the April 7, 2009 meeting of the Commission. David Webster moved to accept the applicant's request for a continuance, the motion was seconded by Nancy Davis, and the vote was unanimous.

**Belmont 250 Celebration Fireworks:**

The Commission discussed the potential fireworks display at the Clay Pit Pond and noted that more information was needed. Martha Moore and Jim Roth agreed to meet with the Town committee and comment on the behalf of the Commission.

**Executive Session:**

David Webster moved to go into Executive Session at 10:00 pm to discuss the on going litigation for the Residences at Acorn Park Project (80-0075). The motion was seconded by Tino Lichauco and the vote was unanimous.

Meeting adjourned at 11:30 PM  
Submitted by Mary Trudeau, Agent