

APPROVED

Attendance: Co Chairs Weil and Baskin, Commissioners Bishop, Curro, Davis, Moore, Velle
Associates: Foster, King, Sanders, Office of Community Development: Glenn Clancy
Members of the public: Rich and Robin Levandov, Larry Kirk of ARC, Vicki Hibbard,
Landscape Architect, Gordon and Laurie Low, Nicole Hayes of Sanford Ecological, Darrell
King, Animal control officer: John Maguranis
FAR: Ellen Mass, John Walker, William Dunham, Don Bockler

Minutes of March 7, 2006 approved as amended.

Minutes of March 21, 2006 approval postponed pending Kathy's editing and citing references for statements made.

Rock Meadow: Miriam Weil met with Roger Wrubel about grant proposal for combined maintenance of Rock Meadow, McLean and Highland Farm. Methods of invasives management need to be coordinated. Massachusetts Audubon Society (MAS) is in favor of the chipping of woody invasives as done on McLean land and then using herbicides as they resprout. Rock Meadow subcommittee preferred pulling as less destructive to the environs. MAS/Habitat cost estimates do not include profit that a professional hired for the project would charge. Cost estimated as three times as much for pulling. Nancy Davis stated Josh Ellsworth gave estimate for invasives control plan, not just for pulling. Comparing the appearances of McLean Open Space meadow (mechanical removal) with Rock Meadow (removed by hand), the Commission is concerned that mechanical removal requires repeated mowing for several years afterward to cut down the buckthorn sprouts. More herbiciding would be required. This would negatively impact the Meadow for wildlife habitat. Pulling can be done by machinery: tractor and chain. Comparison needs to be made with MAS estimate. The entire meadow was mowed in late fall '05. \$1100 dollars was paid by the Town and \$2600 was raised by private donations by Debbie Hartmann. The budget including this item has been cut in half, so safe to assume the \$1100 has also been cut in half for 2006.

37 Larch Circle: informal discussion of landscaping project on the Sodini property with Vicky Hibbard, Landscape Architect. K Baskin explained about the 100 ft buffer zone around the pond in the Wetlands Protection Act. There are a 30 foot rear zoning rear setback and patios defined as at existing grade even though may cut into grade to level. Anything above grade, even by a foot, must abide by setbacks as a deck. There is a cement retaining wall along the pond that was installed (replacing the original bank) when the stream was culverted. Grass would be stripped and loam stockpiled. Slow release fertilizer or organic fertilizer recommended and native plantings encouraged. Stew recommended the black willow for planting. Sediment controls, covering and removing excavate would be required. Property is in transition zone of 100 to 500 year flood plain. Applicant was informed about the wetlands bylaw which would only impact the first 25 feet and that minor activities would be allowed.

30 Howells Road: Hearing opened at 7:45 PM Discussion began in comparing the areas of the Act and Regulations that would cover this project: is this an example of "No Significant Adverse Impact p 399 10.58 (4) (d) as Mr. Low Asserts or 10.58 (5) redevelopment within previously developed Riverfront p 400 as Mr. Levandov's consultant asserts?

Redevelopment involves project providing a net benefit. "Redevelopment" occurs on a lot that already has impervious areas, land to be developed that is already disturbed.

There was discussion about the applicability of Sections 10.58(4)(d) and 10.58(5) of the Wetlands Protection Act. (Stormwater Management Policy is not applicable). Mr. Low states that the Commission had said they would move ahead as if this were new development. The Commission stated that new information should not be ignored.

Mr. Low presented documents. He referenced a discussion he had with Kathy Baskin regarding the design of dry wells to take care of a one inch storm. Challenges of dry well design: lots of clay in soil, dry wells may not be within 100 feet of neighbor's septic system, might hit bedrock, shouldn't be in fill soil. Mr. Low proposed using the empty septic system to store the one inch rain and permit for use of septic as storage. His other proposed alternative is to construct a 1 foot high stormwater retention wall of brick or impervious rock, that would store 250 cu ft of rainwater, with erosion protection. Driveway cut-offs would drain into middle of landscaped loop, though no dry well can be constructed there.

K Baskin comments: septic system proposal could be an option but Board of Health and Glenn would have to deal with certain issues: ground water height and seasonal fluctuations. Recharge rate for a septic system is designed differently than a storm system so water may not move as quickly into leaching field. A septic system is designed for hundreds of gallons a day whereas a stormwater system is designed for much higher flows. Concerns include infiltration rates, volumes, groundwater table, bacteria issue (Board of Health). Regs say that a septic system should be filled with sand so a waiver would be required. Could possibly replace leaching field to increase infiltration. Joe spoke to someone who made a similar conversion of a septic system to a stormwater system. Cleaning out system is an extensive project and he would like to see more detailed plan. If septic doesn't meet the volume requirements then Mr. Low recommends the flood retaining wall, a 10 to 1 slope, one foot high, tapers into the ground, 50 feet long, K Baskin: design criteria similar to a detention basin required to hold water until it soaks in. A system needs to drain out in 72 hours to prevent mosquito breeding. With clay soils, how get the water to move? Calculations have not been completed. R Foster suggested raising the wall to increase capacity. N Davis inquired about stormwater figures previously requested from the applicant. If using the no significant adverse impact of 10.58(5), DEP would not uphold requiring stormwater management system (as per Tom Maguire) to single family plan. Water does not currently drain well. KBaskin suggested digging up the soil and replacing it with gravel. Commission could write Order of Conditions to require that this drain in 72 hours and follow up with enforcement before issuing a Certificate of Compliance. Currently Mr. Low states that water runs off into Howells Road.

Joe Curro requested that design documents be prepared by a Massachusetts registered professional engineer. Under MGL C112 Section 81, Engineers and Land Surveyors, from the state Board of Registration of Professional Engineers and Land Surveyors, "professional engineering is required to safeguard life, health and property." Joe Curro states that none of the Commissioners should be designing this system.

Regarding the alternative of moving the home forward on the site, Mr. Low consulted professional who told him there would be zoning issues regarding the basement and design might make house appear too prominent. Moving house forward lowers it, Peg Velie stated, but Mr. Low states that this would require a redesign. Zoning requirements regarding the height of the cellar/basement as a story would apply. Applicant continues to state that water quality and quantity are different.

KBaskin states that quantity is a component of quality according to DEP. Affecting the water quality in the brook depends on both quality and quantity. Once water is off the roof and running over a lawn or a driveway it picks up pollutants and becomes non point source. Nonpoint source pollution is affected by pollutant availability, and whether pollutants are picked up by the nonpoint source runoff, as well as the amount of runoff available for dilution.

Nicole Hayes, Sanford Ecological Services: for the Levandovs: presented in favor of applying the Redevelopment part of the Regs (10.58(4)(d): because there is a house on the lot and there is no 100 foot undisturbed strip of vegetation. In redevelopment, a 1:1 on site mitigation or 2:1 off site mitigation is required. Some engineering calculations need to be done: sewer and runoff issues in the riverfront, don't know peak flows off the site, and if as a single family house project is exempt from Stormwater Management Policy, peak flows off property still need to be addressed. Recommend clarifying the regulations that cover this project.

Miriam: lot has been disturbed. Nicole: consulted with Gary Sanford who stated that if it is a previously developed lot, it is important to keep the 100 ft natural corridor, which currently does not exist. K Baskin: distinction made with Brookside Ave is that new development extended into undeveloped area, house not destroyed. N Davis stated the lot of this house and the lot of the house next door are both disturbed. RFoster stated: this is disturbed, wildlife goes everywhere in the area therefore no specific wildlife corridor, formerly farm and meadow.

Miriam recommends that CC require a professional engineer to design stormwater management system to control site runoff. Stew questioned mitigation as an issue in relation to the driveway: Nicole stated that mitigation could be plantings along the property line.

N Davis pointed out that last month the Commission requested nonpoint source runoff figures stamped by a professional engineer. Plans must satisfy DEP design standards (Volume 2) of Stormwater Management Policy; whatever structure is designed must be stamped by a professional engineer and mitigation plantings should be part of the Conditions.

Joe Curro moved to deny the application. K Baskin seconded the motion to open discussion and stated the proponent can seek ultimate decision from DEP and bypass the Commission. Conceptually, a flood wall might work but with type D soils, it could be a problem. C Bishop recommended to the proponent that he hire an engineer to study the entire situation, soils, slope, and runoff. Alternatives: deny the project, can deny project based on conditions, can require that engineer come back at a later date, or give proponent one more month to submit plans. Mr. Low agreed to hire someone to solve the problem of non point source runoff from the site. C Bishop suggested adding plantings on the slope between the neighbors to help slow the sheet flow and add vegetation to the riverfront. The engineer needs to address runoff from both areas of the

driveway. Joe withdrew the motion. M Moore moved to continue the hearing until May 2nd 2006 with the condition that Mr. Low would hire a registered professional engineer to design and stamp a system to control nonpoint source runoff on his site. Mr. Low agreed to do so. Hearing continued to May 2, 2006.

Rock Meadow: Rules and Regulations: Donna Moultrup raised objections to the bylaw and rules as written: Her concerns include the following: an enforcement officer needs to be appointed, banishment from Rock Meadow is unenforceable, and the Board of Health needs to formally be asked to help in enforcement since the Board of Health pays John's salary. John recommends consultation with Lt. Hoerr and Glenn Clancy. Miriam Weil will coordinate. New England Mountain Bike Association representative needs to be brought into this discussion to help manage the other bikers. John would like to meet with NEMBA. John also reports destruction from chainsaws, paintball, trail erosion, ATVs, motorbikes, and snowmobiles. Important to contact Donna Moultrup for designating John as our enforcement agent. Also recommends communication with DCR because of connecting trail, dirt bikes. John is often on site and is willing to act as enforcement officer, if so designated by the Health Department. and the Conservation Commission.

Wetlands Bylaw: Glenn passed out comments received about the wetlands bylaw from the Belmont Country Club and from Rich MacDonald, resident. Final draft is on the website, major changes are: minor activities stated as allowed in 31.4.4, removal of the no permanent structure limitation on the second 25 ft of the buffer and an exemption for 6 years for the McLean district. The upcoming public wetlands bylaw meeting will be held on April 10 in the Town Hall auditorium rather than the Library. Glenn will change the information on the website home page as well as the specific site. So far, it is on the warrant for April Town Meeting with a May Town Meeting for the budget in light of the failure of the override. Nancy pointed out the increase in attendance at the public meetings on the bylaw. Notice sent to Town Meeting Members for meetings. K Baskin asked about how to respond to comments. N Davis pointed out that the draft has already heard similar comments through the public meeting process and the comments have been addressed in amendments.

Glenn pointed out that the CC should state that this is the document that we support. If something does come up, there is a mechanism to introduce an amendment. Glenn perceives that the committee feels that any further changing would weaken the document. K Baskin concerned about not having an official comment period, recommends a statement to the effect: "We understand you may have more comments however the bylaw is on the warrant. We're fortunate that most of the comments we have received have been addressed by our most recent amendments. If you have other concerns, let us know about it and if there is a major flaw, the bylaw can be amended. Important to get the word out that we are "done." In addition some concerns can be addressed in the regulations. Wetlands Bylaw Subcommittee will prepare written responses to the comment letters.

Open Space Plan: Miriam Weil and Chris McVay will comment on the draft. Stew has cited areas that need change or additions. Completion date is before August 2006. There is no money for assistance from the Office of Community Development.

Friends of Alewife: Ellen Mass with three partners in the project. Bill Dunham from DCR is planning to maintain an existing trail along Little River with Americorps volunteers for May 22 to May 27 to work on restoration. Here to apply for permits to clear and maintain a trail, build bog bridges over a series of creeks. There will be an Order of Conditions from Cambridge. Map for clarification of exactly where the trails are planned, new and existing has titles for same reversed. Potential vernal pools mentioned, urge delineation of trail to dry land to preserve the wet areas. M Weil requested an abbreviated Notice of Intent but the group didn't come prepared to file. The proponents expressed concern about the timing of the availability of the Americorps volunteers. Project includes 5200 linear feet, path 4 feet wide. It was agreed that an abbreviated Notice of Intent would be filed as soon as possible with notice to both Belmont and Cambridge abutters for the hearings in the two towns.

Certificates of Compliance: 132 Mill Street from 1995, signed
68 Claflin Street: certificate of occupancy has been issued, signed

Belmont Country Club: notification of annual dredging sediment near 5th hole on Concord Avenue

Madelon Hope: to continue the School of Herbal Studies work on Rock Meadow. Concern was expressed about medicinal plants being unsafe to eat but with no change in program the permission was extended for another year.

DPW: Clay Pit Pond pumphouse: modernization planned: either rebuild pumphouse or eliminate pumphouse and use floating submersible pump for irrigating the playing fields. Stew noted that the area is especially used by fish. Control of dismantling the pump house and restoration of the shore line is important. A line would have to pass under the driveway. The Commission requires a filing.

MACC Commendation: Nancy Davis for completing all ten of the MACC Core Units

Meeting adjourned at 10:40 PM Next meeting May 2, 2006 Submitted by C Bishop