

Minutes of a meeting of the Belmont Conservation Commission held on June 26, 2007 at Town Hall Selectmen's Room

At 7:00 PM, the chair, Miriam Weil, called the meeting to order. The following members of the commission were in attendance: Nancy Davis, Martha Moore, Joe Curro, Margaret Velie, Carolyn Bishop, David Webster. Also in attendance were associate members Tino Lichauco and Monica King, as well as agent Mary Trudeau.

The following members of the public were present for at least part of the meeting: Selectman Dan LeClerc, Chair of the McLean Land Management Committee: Ellen O'Brien Cushman, Sumner Brown, Kathryn Christopher, John Fisher, Charles LeRay (attorney for Bulfinch) , Stanley Dzierzesky, Elsie Fiore from Arlington, Sumner Brown, Julie Vondrak and Laura Rome: Epsilon Associates, David Albrecht: Tetra Tech Rizzo, Jim Ward of Nutter, McClennen and Fish

After some discussion of proposed amendments, David Webster moved to approve the minutes of June 5, 2007 as amended. The motion was seconded by Joe Curro and passed unanimously by voice vote.

Request for Determination of Applicability (RDA) placePlaceNameMcLean PlaceTypeLand Management Committee:

The hearing opened at 7:40 PM. Martha Moore, as applicant, presented a Request for Determination of Applicability for control of Japanese Knotweed in an area adjacent to section 1A of the condominium development. . The treatment plan proposed cutting and injecting Rodeo (glyphosphate) into the cut stem. Martha Moore noted that the project is expected to take two years to complete. The plants to be treated are about 8 feet from the bank of an intermittent stream. The Commission noted that while the work was proposed within the 25 foot buffer zone above the wetland, the project would improve the quality of the wetland. Work is planned for late August of 2007.

N. Davis moved to issue a Negative Determination of Applicability with the additional condition that the herbicide be applied by hand to the cut stems, D. Webster seconded the motion. Martha Moore recused herself from voting. The motion was unanimously approved. Hearing closed at 7:58 PM

Notice of Intent (NoI) for 65 Oliver Road:

The hearing opened 8:00 PM. Kathryn Christopher, the homeowner, and John Fisher, the contractor, presented the plan. Wetlands on the site were field delineated by Oxbow Associates. Mary Trudeau noted that she had reviewed the delineation and found it accurate. The Notice of Intent proposed removal of the existing detached garage and the construction of an addition to the house. The addition would result in a structure about 5 feet further from the pond than the existing garage. An existing slate patio abutting the garage on the pond side would be removed.

The Commission requested: (1) submission of a plan showing erosion controls located 50 feet from the pond.; and (2) that the applicant submit a drainage analysis exploring the potential for infiltration of roof runoff in the proposed condition. The Commission also recommended that the sump pump flow be diverted to the infiltration system, and that a trench drain for driveway runoff be installed to prevent pollutants from draining into the pond. The Commission recommended use of straw bales instead of hay bales to reduce the potential for introduction of non native weeds to the site.

At the applicants request, D.Webster moved to continue the hearing to allow the applicant time to provide the information requested by the Commission. The motion was seconded by Carolyn Bishop and unanimously approved by the Commission. The hearing closed at 8:40 pm and was continued to 7:30 pm on August 7, 2007

Request for Determination of Applicability for Beaver Brook Vegetation Management:

The Hearing opened at 8:42 PM. Calvin Layton from Northern Tree Service represented the Department of Conservation and Recreation (DCR) in connection with a request for determination of applicability that had been filed to allow for the control of poison ivy and other noxious plants within the Beaver Brook Reservation lands.

Mr Layton noted that while poison ivy was the sole first year target, second year targets might include other invasives (“noxious weeds”). Treatment areas were to extend ten feet off the officially maintained DCR paths and trails. Mr Layton noted that he would spray in a manner consistent with 333 CMR 11’s (Rights of Way applications) requirement of a no-spray zone 10 feet from the wetland. Mr Layton proposed use of the following herbicides: Glyphosate products, such as Roundup, and Rodeo, Amazapyr products; Score, Garlon, and trichlopyr .

D. Webster moved to request a report after the work and to issue a negative (3) Determination of Applicability with the following conditions: all work was to be done in accordance with the Vegetative Management Plan; a Yearly Operation Plan was to be submitted to the Commission; an annual report would be submitted to indicate what work was done, and amounts and types of chemicals used, (rate per acre); no treatment would occur within 10 feet of a resource area; the only vegetation to be treated would be poison ivy, or plants that directly compromise the integrity of DCR structures or invasive species, and only using low pressure foliar application would be used. M Moore seconded the motion and it was unanimously approved. The hearing closed at 9:10 PM

Residences at Acorn Park Notice of Intent (NoI):

The hearing opened at 9:12 PM.

Julie Vondrak of Epsilon Associates presented an overview of the project including the history of the property; zoning status; and her interpretation of the status of the previous DEP Superseding Order of Conditions.

Ms Vondrak discussed the work proposed on the site with relation to the wetland resource areas on the site. Discussion included the FEMA flood plain elevations; the flood plain elevations used in the development of adjacent properties; the proposed compensatory flood storage area; the inner flood plain and the need to compare the horizontal distance to the bank to the ten year flood plain .

Dave Albrecht of Rizzo Tetra Tech discussed the stormwater management system proposed for the site and agreed to send additional documentation the test pit logs, borings and other materials that provided the basis for the design to the Commission.

Other questions concerned the habitat values of the resource areas, and the need to for the Conservation Commission to review the additional wetlands flagging done on the site and not included in the Superseding Order of Conditions. The Commission also questioned the applicant's interpretation of the ten year flood elevation and noted that the FEMA study appears to depict a higher elevation than that assumed in the site plans.

The following specific requests were made by the Commission and by interested members of the public:

The Commission also requested soil test pit and boring logs to verify groundwater elevations throughout the site.

M. Weil requested a site visit to see the new flagging and discussed the need for the Commission to solicit a third party to review the Notice of Intent.

Margaret Velie reiterated her concern with the elevation given by the applicant for the ten year flood plain, and requested the pre and post project grading plan.

M Moore requested information about construction equipment, parking, and construction staging.

M. Trudeau requested a more detailed construction phasing and sequencing plan and dewatering details.

Elsie Fiore, Arlington requested that a copy of NoI and Drainage Report be placed in the library for public access.

At 11:05 PM the hearing was continued, at the applicant's request, until 8 pm on August 7th, 2007.

Old Business:

40 Howells Road: Mary Trudeau reported that the Levandov's will be filing a Notice of Intent, hiring a wetlands consultant to delineate resources on the property.

115 Oliver Road: placeN. Davis moved that the owner be required to file a Notice of Intent for work that was done on the property. The motion was seconded by David Webster and unanimously approved.

Rock Meadow WHIP Project: Mary Trudeau summarized correspondence indicating that Chris Polatin and Bruce Scherer were the only contractors who submitted a proposal for the WHIP cost share project.

D. Webster moved that the Conservation Commission endorse the hiring of Chris Polatin of Polatin Ecological Services and Bruce Scherer of Heritage Fields as the contractors for the project. The motion was seconded by Nancy Davis and unanimously approved by the Commission.

Residences at Acorn Park Third Party Review: The Commission discussed the hiring of a consultant to review the Notice of Intent for the Residences at Acorn Park. The Commission charged Mary Trudeau with soliciting at least three proposals from independent consultants.

Commissioners are to send questions to Mary for the consultant to consider.

Reorganization meeting (election of officers) will be held during next meeting of the Commission.

The motion to adjourn was made by David Webster, seconded by Joe Curro and unanimously approved.

Meeting adjourned at 11:55 PM
Submitted by C. Bishop and Mary Trudeau