

APPROVED

Belmont Conservation Commission Meeting June 3, 2008 7 PM
Town Hall Conference Room #2

Attendance: Chair Miriam Weil, Commissioners: Carolyn Bishop, Tino Lichauco, Margaret Velie, David Webster, Nancy Davis, Vice Chair Martha Moore
Associates: Monica King, Darrell King

Agent: Mary Trudeau

Public: James Roth, Jeff North, potential associates

Andy Healy, McLean Hospital, Lee Lyman, Lycott Environmental, Inc. for Lubin Pond, 150 Somerset Street

Applicants for 43 Howells Road: Robert Jones, owner, Amy Finlayson, Paul Fiore architects

Debbie Hartman: Rock Meadow (RM)

After introductions by attendees:

Minutes of May 13, 2008 approved as amended. N.Davis moved approval. P. Velie seconded, unanimous approval.

Agent's report:

Correspondence received:

Joe Finn encouraging Commission visit to RM to observe bird box project

cc. from Rachel Freed to James Ward re. Uplands: stating among other items that monitoring wells superior to test pits for monitoring groundwater as per Lichauco/Webster letter.

cc. from Bruce Jacobs Hydro Analysis to Rachel Freed: bringing up points he feels not addressed adequately by applicant

Ellen Mass: M. Moore will read and respond if needed.

Plan for Uplands from TetraTech: P. Velie will make several copies.*

BSC Group filing Notice of Intent (NoI) for Muskrat Marsh: M. Moore will read copy of NoI and report.*

68 Stony Brook Road: Diarbakerly/Belmont Country Club (BCC) restoration plan. Property owners denied BCC access, so on May 9th, Chair Weil issued emergency enforcement order requiring crossing of brook with metal plates for access. Recent

report from Kelly Cardoza states that the regrading work is complete and ready for inspection before plantings and wall restoration work. Dirt has been removed from the site. T. Lichauco moved ratification of the May 9th letter requiring enforcement of the BCC Order of Conditions. M. Moore seconded. Unanimous approval.

McLean Hospital Representative Andy Healy Subject: sewage flow in Junction Brook as previously noted and later affirmed by MyWRA testing. McLean has done no testing yet. Sewage lines in area above of Junction Brook were replaced in Zone 3 renovation. Healy has assigned a professional engineer to the project and promises a comprehensive plan review with dye testing, sampling and if necessary tv inspections in close communication with M.Trudeau. Prefers to do in house planning. A sampling and remediation plan was required a month ago by the CC. N Davis did testing in 2000-2001 and e coli levels were elevated at that time. J. Roth suggested sampling two hours into storm event. By June 17th a program must be submitted with test results by the 24th meeting. In either case A. Healy will attend and report on status. *

43 Howells Road: Hearing opened at 7:45 PM Brian Butler, Oxbow Associates presented plan for 2 additions and expanded patio to house in the Riverfront to Winn's Brook. Amy Finlayson and Paul Fiore, architects. Property located at corner of Howells Road and Locke Road.

Additions proposed on front and back of property with most work to be done in second 100 feet of the Riverfront area. Existing septic system to be removed since house is now hooked up to private sewer in road. Additions: 12 ft out from house in back with full walk out basement and a 12 ft x 12 ft library addition on crawl space in front. Impacts of project on the first 100 ft of the Riverfront area include about 7 sq ft of front library addition, several square feet of patio to total of 57 sq. ft of impervious surface and slightly less than 800 sq ft of impervious surface total in 200 ft Riverfront. Three of many Norway maples on property will be removed at corner of house. Yew and laurel removed in front.

After discussion, D. Webster moved that the applicant provide:

Revised plan to include re-grading, detail of pervious patio area showing the grading, and excavation for basement door between retaining walls, siltation fence for limit of work, Locke road side with proposed erosion controls and location of excavate stockpiling, design of infiltration system located outside 100 ft. zone for runoff from additions for at least a 1 inch storm, planting of five minimum 1.5 in. caliper replacement trees of native species with general location to be determined, removal of septic tank. Revised plan due for the June 24th meeting. N. Davis seconded. Unanimous approval.

Discussion of Order of Conditions to be issued pending receipt of amended plan. Applicant reminded that a pre-construction meeting required with agent to locate controls as part of regular conditions. Applicant must clarify and submit the items listed above after the close of the public hearing and prior to the issuance of the Order. Hearing closed at the request of the applicant. D. Webster moved to close the hearing. N. Davis seconded. Unanimous approval. Hearing closed at 8:38 PM. Order to be issued at June 24th meeting.

Howells Road Sewer Work: discussion on condition of soil piles and progress of work. M. Trudeau will visit site. * Straw wattles are in place at end of road for sewer work and rounded rock has been placed to help prevent sedimentation of the brook. 43 Howells Rd homeowner will maintain this during the duration of his permit and in cooperation with neighbors. He suggested barrier to stop plows. Ultimate CC goal is a vegetated berm. Discussion will continue with Levandovs and DPW. *

Lubin Pond: Hearing opened at 8:41 PM Lee Lyman, Lycott presented: Filamentous algae, duckweed, variable milfoil, coontail presented as problem in manmade pond that was restored in recent past. Requesting a Determination of Applicability. States that herbicide/algacide as the most effective control after rejecting benthic screening, dredging, harvesting and weevils. DEP Division of Watershed Management permit is required since there is a flowing outlet of the pond. Claims herbicides and algacides are safe for fish and non-target species. Chemicals to be used: Diquat "Reward" ½ life of 48 hours for milfoil, chelated copper for algae, copper eventually being bound in the sediment. Weeks Pond is upstream and may re infect pond with duckweed. Recommends flotation boom at inlet. Goal is June/July treatment at time of lowest flow. Stream was previously determined to be perennial.

N. Davis inquired about lawn fertilizers in use. C. Bishop expressed concern about lack of natural wetland vegetation/habitat around pond therefore little filtration of runoff leading to aquatic weed growth.

A Determination with Conditions is not as binding as an Order of Conditions since not registered but an enforcement order can still be issued if needed. M.Trudeau read options under Request for Determination of Applicability (RDA). Can be considered a Limited Project under a Notice of Intent. It was noted that an RDA does not require a filing fee even though site inspections are costly.

For Negative Determination of Applicability with Conditions, the CC requests submission at the next meeting of: updated current plant inventory, identification of target plants, copy of license to apply, MSDS sheets, description of specificity of chemicals to target species and concentrations of chemicals; all to be submitted before treatment. Copy of DEP permit to be submitted when issued.

In addition Conditions will include: confirmation that application planned when no storms anticipated before or after same, sandbags at outflow to slow flow during and for up to 48 hours after application, no use of phosphorus lawn fertilizers within 15 ft. of pond, end of season report re. target and regrowth species, no cutting of wetland vegetation at entrance to pond, limited to one season of treatment with maximum of 3 herbicide and 3 algaecide applications. Additional treatments will require the filing of a Notice of Intent. D. Webster moved a Negative Determination of Applicability with conditions as listed. P. Velie seconded. Passed with one negative vote. Hearing ended 9:45 PM

Rock Meadow: D. Hartman: brush cutter purchase dependent on more information from vendor. Eighteen horsepower engine has a cost of \$4000. DPW will provide worker with bobcat to move woodchips nearer trails. Rock placed at Brookside Ave to block vehicular access. Party spot with fire pit, chairs and tree house to be dismantled by DPW. Permission sought to buy the 4'x7' trailer for the brushcutter, and the 3 kiosks, 3 benches. Bruce and Chris will give estimate to pull the ailanthus stumps to be dumped at Incinerator site with DPW permission and help. Large buckthorn needs removing from the area. Bruce Westgate would like to have area from former ailanthus trees to gardens mowed, regraded and added to meadow. Some perimeter garden plots could be reclaimed, possibly part of the Scout project.

Foundations and cost decisions: removal of small one, would need private bid; large foundation: cost to remove or pay to maintain from overgrowth.

Possible historical interest discussed. M. Trudeau emailed Northland and suggested contacting McLean/Healy to help with removal. N. Davis expressed concern about potential conflict of interest in accepting favors from potential applicants. N. Davis moved that the CC give D. Hartman permission to proceed with purchase of trailer, 3 benches and 3 kiosks through the Trails grant. * D. Webster seconded. Unanimous approval.

Volunteer Day: D. Hartman will work with DPW to establish another volunteer day. D. Webster moved to authorize D. Hartman to coordinate with DPW to organize volunteer day to move chips to trails. * N. Davis seconded. Unanimous approval.

Enforcement re. party spot: Waltham and Belmont police are both needed for enforcement and Waltham should be contacted.

Residences at Acorn Park: Two letters composed by T. Lichauco and D. Webster were sent under the chair's signature to DEP. A third letter clarifying observations of Velie/Webster site visit is being written, responding to Applicant's letter of May 9, re. sheet flow (siting swales on site without evidence) Applicant overestimated pre-development peak flow to make post development figures easier to meet. (Stormwater Management Standard #3)

P. Velie to write additional letter on TSS removal. D. Webster will send copy to M. Weil and CC and send letter to DEP by Friday. *

Old Business:

Meet Belmont event planned for August 21st. No Commissioners seem available to attend at this point. MACC Wetlands Act brochure possible handout. P. Velie handed out samples. Decision can be made at August 5th meeting. C. Bishop will investigate pricing. *

D. Webster moved adjournment. M. Moore seconded. Unanimous approval
Meeting adjourned at 10:44 PM Next meeting Tuesday June 24, 2008 7 PM

* indicates action item

Submitted by C. Bishop