

Belmont Conservation Commission Meeting June 7, 2005 Chenery Middle School Faculty Dining Room

Called to order: 7:05 PM

Attendance: Commissioners Baskin, Flamang, Moore, Davis, Curro, Weil, Smith

Associates: Velie, Bishop, Sanders, King,

Applicants Roger Gallagher of Gallagher Remodeling, with Christine and Mark MacVay,

Selectman Angelo Firenze, MAS/Habitat: Roger Wrubel

Karl Haglund with Clayton and Christine Christiansen, 114 Fletcher Road,

Kymus and Genevieve Ginwala of 60 Stony Brook Road,

Lee Barber and Rick Salvo, Engineering, Denis Dyer, Michael Marcheschi,

Tara McManus, Weston and Sampson Engineering Inc. for the Belmont Water Dept,

Francis Williams 12 Brighton Street, Paula Stone 163 Brighton and Grobman Realty Trust at 11

Brighton Street

Minutes: Approved April 5, 2005 as corrected, April 26, 2005 special meeting and executive session minutes approved, May 3, 2005: addition of Weil in attendance and minor corrections approved.

Outstanding minutes are from meetings on August 14, '03, Nov 13 '03, May 6th '04, Aug 11 '04. Members responsible will try to locate and complete.

MacVay Hearing: 109 Brookside Avenue 7:20 PM:

Proposal: Purchased house in 1999 and now seek to add bathroom, expand kitchen in 240 sq' addition, add deck and modify breezeway. Building located in first 100 feet of the riverfront (Beaver Brook) with no existing structure that can be removed to offset additional construction. Roger Gallagher suggested adding drywells to address the purpose of CMR 310: protection of ground water, pollution prevention. The plan is to add some native plantings to enhance vegetated border and bank which is currently poorly vegetated. Original plan of 380sq' has been reduced to 240sq' and the wetland has been delineated. Propose removal of loose flagstone walk to help offset additional impervious surface.

Deck on plan is shown larger than it will be however it has little impact.

.Christine spoke with Heidi Davis at DEP seeking to prove no significant impact and no practical alternatives and received advice re. native wetland plantings, list included with Notice of Intent.

Roger Gallagher spoke re. attempts to minimize impact: although all construction is in the riparian zone there is little slope, minimal foundation work with poured piers, would cover excavate, use only small machinery for excavation (Bobcat), Currently all stormwater from back half of house runs down gutters and downspouts and across yard into brook. Drywell construction would have to accept all runoff from back of house. One or two wells proposed.

Discussion: KBaskin pointed out the 200' from a river is a resource area therefore two standards apply as opposed to the average wetland. Work cited as example was done near wetlands, not a brook, riverfront protection is more stringent as opposed to the buffer zone protection.

Apparently the water table varies but the basement is currently dry. Yard is compacted from play and appears sandy under soil except where hydric soils delineated wetland.

KBaskin explained the Rivers Protection Act addresses: adverse impacts: section 4.d.1: option of changing 5000sq' or 10% of lot provided that 100' of undisturbed vegetation is left however there is no 100' of vegetation here. GClancy reports a very gradual slope with distinct bank of 2-3' at the brook. GClancy received email from Heidi Davis (DEP) reporting that if there is not a 100' strip of vegetation, plants can be added to preserve or extend this strip. KBaskin spoke to DEP and MACC: the deck, if 50' from annual mean high water line, would be exempt. GClancy reported deck cannot get larger without appeal to ZBA due to lot coverage restrictions.

KBaskin: estimate removing 70 sq' for existing back pantry, removal of flagstones but points out the term "redevelopment" according to MACC and DEP is interpreted as restoring a parking lot or structure to habitat and asks "Can a barren back yard with no habitat, be redeveloped?"

GClancy: Supported the attempt to increase the vegetated strip although it would not equal 100': the bank is bare and adding vegetation may stabilize, delineate and protect, shade water, and offer some first flush protection.

Plans may require removal of trees near house, but owners intend to plant more. Replacing ash trees with native hardwoods was recommended. Schematic of drywell system shows 2 pvc dry wells indicated, placed no closer than 20' from trees.

MFlamang: requested a planting plan with about 300s' of plantings with at least a 4' swath along rear line.

NDavis spoke approving mitigation plantings, dry wells for rear of house and suggested bituminous driveway exchanged for pervious area to help recharge water table.. KBaskin: alternative would be to crown driveway and drain to side in gravel. Driveway slopes toward road.

JCurro: if back yard is so hard packed to be impervious, how will plantings survive children's play? Recommends protection of the bank.

MFlamang: Since more engineering and design work is needed, perhaps the hearing should be continued.

MMoore: added vegetation beneficial, dry wells with adequate percolation, consider pervious driveway or crowning and drains to prevent runoff.

GClancy: Requested that surveyor indicate trees by dripline size.

Motion: Order Of Conditions issued subject to location of drywells, planting plan with list and locations of plants, detailed plot plan with dripline of trees, suggestion of driveway redesign or front drywell. Carried by 6 in favor, one opposed. Further information will be submitted to Glenn Clancy. Note 10 day appeal period. Hearing closed at 8:21 PM

114 Fletcher Road: discussion of existing Order of Conditions (O/C)

Proposal: Karl Haglund, G. Brown Design landscape architects for Clayton and Christine Christiansen, Original hearing held spring 2003, Winn's Brook recognized by ConCom in minutes of that meeting as intermittent. Delineation taken from Town's wetland map.

Proponents seek additional work to replace and extend existing stone wall on east side with retaining wall on west side of house and low wall along back of lot. Back of house is within 100' buffer. Seek to add a greenhouse. By adjusting slope seek to return area below wall to more natural condition. Adjustment on other side is to change slope to slow runoff to brook.

Greenhouse: 8.5x11' with small projection on front. Location of wall and greenhouse are additions to original O/C. Although this is not a riparian zone, the wall would cut into wetland and 100' should be protected.

Discussion: MMoore recommended taking advantage of opportunity to have wetland professionally delineated.. KHaglund suggested the plan could either improve wetland vegetation or pull wall back and stay out of wetland, the latter being preferable. The proposed wall is 25-30" high with fill behind it. MFlamang recommended: redelineate or stay out of wetland. GClancy: CMR310/ 10.55 s 4.b: standards of delineation,1:1, must demonstrate that replication would enhance the project.

KHaglund: Proponent will evaluate alternatives, investigate the time and cost of alternatives for decision: move wall out of existing wetland, do a survey to delineate wetland line more accurately, and then replicate wetlands beyond 1:1, perhaps 2:1, being willing to go beyond minimum to exceed the standard. If any of the three alternatives are acceptable to commission, proponent will evaluate and decide. Wall will keep water from running off the lawn. Certificate of Compliance has not been issued so O/C is still in effect. The original O/C did not have a plan for a wall, according to minutes of the hearing. Any project changes require a new O/C.

KBaskin: a survey would be required if do replication. If choose to do wetland replication, then return to commission for permission.

If move wall with existing wetland delineation: amended O/C needed.

The 5 conditions originally issued cover the construction of the house and would cover this construction: new wall and greenhouse. If haybales delineate the limit of work, then they would be in place for this work.

MFlamang: seek motion to approve additions to the plan which keep the project out of the wetland. If proponent works in wetlands, should come to ConCom for amended O/C.

JCurro: suggested redraw wall to modified position to keep both work and wall out of the wetlands

GClancy: recommend rethink project before committing to project change. KHaglund: recommend drawing a line that would bring wall and work out of the wetland. KBaskin: Keep any construction 3' from wetland line.

Motion: JSmith moved that CC not require an amendment to the O/C provided that the work and the wall are at least three feet from the wetland line as shown on the town map. Six aye and one absence. A new plan will be submitted to the CC.

After a brief break at 9:00 PM the meeting reconvened at 9:05 PM.

336 Concord Ave: Belmont Public Library Woodland Garden: Belmont Garden Club request for Determination of Applicability (D/A): Nanny Almquist and Susan Marsh, Co-Chairs of woodland garden by library with Ellen O'Brien, seek to remove 5 trees: 4 Norway maples and one Horse Chestnut with 3 located along fence, competing with American Elm. Norway Maples hold water and make it difficult for other plants to flourish. One is growing under canopy of oak, another is near a sugar maple. Additional 2 Norway Maples in garden. Trees are 50' from brook, within first 100' riparian zone.

The trees will be removed in pieces by arborist, flush cut with roots left. NDavis recommend access over the fence to prevent soil compaction but that will be left to the arborist. MFlamang:

Motion: issue a Negative Determination with conditions: no cutting before July 6th to protect any nests, no trucks on riparian property. Approved.

CBishop requested that Glenn check degraded parking area near driveway/brook side that is allowing mud to flow into the brook. Berm or curb repair needed.

Lee Barber Property: 9:20 PM 647 now numbered 635 Concord Avenue; Work on site has deviated from original plan and Notice of Intent and failure to abide by O/C was observed. Site visit by ConCom members, a report issued and a follow up by Office of Community Development enforcement inspector.

Additional site visit accompanied by Mr. Barber, letter issued requesting appearance at ConCom. Lee Barber: brought engineer Rick Salvo, MacKenzie Engineering Group who wrote original Notice of Intent July 2004.

Changes: engage survey for as-built plan, added 2-3' wall along rear, original deck 20x20 on east reduced to 20x14. Two brick patio areas added to back, each 12'x20'. Driveway was bituminous concrete and will be brick paver to help offset brick areas added. Dry wells installed and roof leaders and framing grate added. NW corner original slope from 249 graded down to limit of property line to 242. Under existing scenario, retaining wall constructed along rear from 249.3 to 242 with terraced/walled 3.5'- 4' high wall.

Majority of work stayed in limit of work delineated by filter berm that was used instead of the Notice of Intent filtration wrapped haybales. This berm was not maintained and was breached during construction. This berm is a compost/mulch sprayed from a truck. Fibrous hairs are supposed to filter out fine sediment. It is reported to function better than hay bales, conforms to land. Haybales and fencing have now been installed at the limit of work. Areas of berm disturbance have been repaired. Berm was applied at onset of construction, 7/04 and is supposed to last for a year. There was some question whether the berm was high enough.

Differences in project plans were discussed, drywells actually leaching catch basins. Will rake up berm material. Cleaning up trash and debris from wetland. Dewatering issue may have occurred at dry well drain. Perforated pipe from downspout previously observed draining from underground into wetland have now been connected to dry wells.

Motion: MWeil moved to accept amended plans. It was noted that there are three versions of plans for this site, two that differ from the original Notice of Intent. GClancy pointed out parallels between this and 114 Fletcher Rd where ongoing work was reported by a neighbor. R Wrubel: Habitat as abutter: concerned O/C items 37 and 38 have to do with use of chemicals on the site. Since this house is now being built to sell, how communicate these limits to the new owner. Such a condition is applied in perpetuity, a Certificate of Compliance would be recorded at the Registry of Deeds. The ConCom requests disclosure to purchaser. The lawn care impacts Weeks Pond and the wildlife habitat. LBarber to copy the ConCom a letter to the buyers on these conditions. Unanimous approval of amended plan.

60 Stony Brook Road: Kymus and Genevieve Ginwala 35 year residents, seek information about any limits on future expansion. Clematis Brook runs behind the house. If perennial, most potential activity would be in outer riparian. Owners want to be able to inform potential buyers about activities and limits due to wetlands act. Recommend that buyers would have to come to CC and decisions would depend on plans, size and conditions.

Tara McManus Weston & Sampson Eng. Inc: 10:20PM Belmont Water Dept, Blanchard Road/ Brighton Street water project. Silt fence and haybales will be installed since no curbing on the

road. Work consists of insulating/lining a water main involving a culvert crossing, temporary patch of pavement, two days work to get across culvert. Crossing above the culvert with minimal disruption predicted. Existing drain line 72" from Cambridge, 6" water main installed in 1914. A capped system with a long dead end system that can't flush therefore poor water quality and pressure for some residents. Estimate 7 weeks maximum for project. This site is on the Cambridge/Belmont line at Blanchard Rd/ Brighton Street. NDavis suggested silt fence along chain link fence along sidewalk to prevent dust in the brook. Cambridge ConCom will sign off on Belmont O/C. Work hours 7AM to 4PM. Out to bid as soon as receive O/C. Spec approval by Water Dept and Cambridge so hope to go to bid end of June, commence work in July. Water project precedes Cambridge road reconstruction. Note on map Cambridge and Belmont mislabeled. Sanitary sewer might be below the concrete culvert.

Motion: to issue an Order of Conditions unanimously approved. Hearing closed at 10:40PM

Met State Hospital Sewer Rehabilitation: KBaskin moved to accept Waltham's conditions on the project. Unanimous approval with Joe Curro recused due to professional interest in project.

Incinerator Site: Joe Curro reported comprehensive site assessment nearly complete on the site. Clay found in some areas but seal inadequate. Recommendations for capping site with vegetated synthetic cap at a cost of millions. Proposal is to tear down incinerator building and bury it under cap. Composting site has been permitted for continued composting.

ClayPit Planting Report: CBishop distributed report on the ongoing replanting of ClayPit Pond with 17 coir rolls installed and loamed by DPW workers and planted with 455 wetland plants and 9 bushes by CBishop, NDavis and PVelie. Litter continues to be a serious problem from BHS, passing traffic and storm drain trash from the street. Proposed formation of a Friends of ClayPit Pond Group. More work is needed for regular maintenance of gravel for driveway, pruning of dead trees, shrub maintenance and mowing leaving a vegetated strip in some currently barren areas along the banks. Encouraging Town traffic to use the Concord Avenue curb cut rather than the lawn slopes is important for preventing erosion.

Michael Flamang and Johanna Smith announced that they will not seek re-appointment. The Commission thanked them for their service and urged them to continue to serve in an advisory capacity.

Adjourned 11:00PM Next meeting to be determined as needed over the summer by any filings requiring hearings.

Submitted by Carolyn Bishop