

APPROVED

MINUTES Belmont Conservation Commission Meeting

Minutes of September 15, 2009 at Room 2 Town Hall at 7:00 P.M.

Attendance: Acting Chair: David Webster; Vice-Chair: Martha Moore; Members: Margaret Velie, Nancy Davis, Tino Lichauco; Associates: Jeff North, Barbara Gardner

Public: Debbie Hartman / Rock Meadow; Keith Moscow, Moscow Linn (project architect); David McClintock, new neighbor Somerset; Andrew Bram, Attorney for 240 Somerset Street petitioners; Susan Samuelson.

Review Minutes of August 4, 2009:

Minor changes were noted to the draft of the Minutes of the August 4, 2009 meeting.

Margaret Velie moved to approve the minutes of August 4, 2009 as amended, Martha Moore seconded, and the motion passed by unanimous vote.

Town Wide Service Work Days at Rock Meadow on October 2, 2009:

General discussion with Debbie Hartman about the expected sequence of events and community participation. David Webster expressed a concern that there might not be enough work to occupy as many volunteers as might attend the day at Rock Meadow. Discussion also about how and who can remove various piles of refuse near the parking lot, and fixing the erosion, by adding soil, on the West trail near the swing set. Debbie Hartman will contact NEMBA to ask about tools and persons who can lead such a project. Tools can also be borrowed from Habitat, including weed wrenches. Debbie Hartman will coordinate with David Webster on who can be involved. Nancy Davis can supervise a weed wrench group. Nancy Davis indicated that there is plenty of work to go around, such as a trash pickup, slash pile and chip pile cleanup, cutting tips off invasive plants in the wetland area.

Debbie Hartman also held out the possibility of participation on Oct. 24th of a High School cleanup day. David Webster recommended that the Commission not commit to this event unless a Commissioner will be available on that day.

240 Somerset Street Request for Extension and Amendment to Order of Conditions (106-62):

Andrew Bram, attorney for petitioner summarized reasons for an amendment as well as the history of the order of conditions. A general discussion ensued concerning details of planting and drainage. David Webster proposed seven conditions as follows:

(1) A revised site plan showing modified grades which drain the driveway away from the street shall be submitted to the Conservation Commission.

(2) The limit of work line, as defined by the silt fence and staked bales of straw, shall be set as close to the house as possible, and shall be a minimum of 25 feet from the delineated boundary of the Bordering Vegetated Wetlands.

(3) The limit of work line shall be approved, in the field, by the Conservation Commission or its agent, prior to any construction on the lot.

(4) The applicant shall follow the Wetland Enhancement Planting Plan, dated 9-15-2005. The applicant may modify this plan with the consent of the Conservation Commission, or its agent.

(5) Any modification to the Wetland Enhancement Plan shall include, at a minimum, sixty (60) native shrubs and twenty (20) native saplings to be planted in the restoration area. The plan should include an equal distribution of saplings on each of the lots originally shown on the planting plan.

(6) Prior to construction, the applicant shall submit a finalized landscaping plan showing finish grades, extent of lawn areas, tree planting, and the limit of undisturbed indigenous vegetation.

(7) This Order of Conditions does not permit the future expansion of the dwelling. Any additions or expansions shall be the subject of a new or amended Order of Conditions.

Nancy Davis expressed concern about relying on a 2 year design storm for design of the drainage system.

Petitioner's attorney requested that the order be amended to only apply to lot 27 and not to lot 26. Project architect confirmed that all construction in lot 26 would be outside the buffer zone.

Faustino Lichauco moved to extend the Order of Conditions as requested by petitioner to expire on Oct 25, 2011. Margaret Velie seconded the motion. Nancy Davis proposed that the customary 18 month extension should be applied. The consensus was that there would be no harm in another six months in this case. The motion passed by unanimous vote.

Lichauco further moved that the Order of Conditions be amended to change the petitioner's name to Alexandra Vacroux, that the order only apply to Lot 27, and that the plan dated 9/2/2009 as amended by the foregoing seven special conditions be substituted for the plan of 10/11/2005. Nancy Davis seconded the motion, which passed unanimously.

Edward Hennessy - Bench at Clay Pit Pond:

Mr. Hennessy explained the history of the bench and how over the past seven years, the view of the high school had become obscured by overhanging branches. He asked for permission to to reestablish the view from beneath the canopy.

Lichauco suggested that an RDA would be appropriate. A discussion also ensued concerning who the proper petitioner should be on an RDA. Webster proposed that agent Trudeau be delegated with authority to work with Mr. Hennessy to guide the vista pruning in a manner consistent with the goals of the WPA.

Webster moved that authority be delegated to agent Trudeau to determine an extent to which vista pruning could be achieved without significantly altering the BVW. Margaret Velie seconded the motion, which passed unanimously.

Susan Samuelson, 15 Shady Brook Lane - Request for Determination:

Petitioner described the extent of the proposed tree removal and the reasons therefore. Discussion ensued concerning whether Atkins Brook's watershed was sufficient to establish it as a perennial, notwithstanding agent Trudeau's observation of an absence of flow.

Webster moved that a Negative Determination of Applicability be granted, and that box 3 on the form be checked, and that the following conditions be imposed:

- That all stumps and root structures be retained;
- That each removed tree be replaced by a plurality of native shrubs or native tree species, such as service berries, with the authority to approve the particular replacement species being granted to agent Trudeau.
- That the applicable standard conditions be imposed, with agent Trudeau being delegated authority to communicate the standard conditions to petitioner.
- That bittersweet vine be removed; and
- That no trees other than those that were flagged on site during site visits prior to Sept. 15 be removed.

Martha Moore seconded the motion, which carried 4-1.

15 Sandrick Road - Richard Hickey Certificate of Compliance:

Nancy Davis moved that the Commission issue a Certificate of Compliance for the property. Martha Moore seconded the motion, which passed unanimously.

Open Space Plan:

Nancy Davis reported on a meeting concerning a comprehensive plan, which was also attended by Barbara Gardner, Miriam Weil and David Webster. She circulated diagrams showing the Belmont Greenway. A discussion ensued concerning difficulties the Commission had encountered due in part to the lack of a current open space plan.

Rock Meadow Mapping:

A straw poll of Commission members found a marginal preference for the "no boundary" version of the map.

UPLANDS (DEP 106-0072) update:

As no activity had occurred, this agenda item was skipped.

Update re Meeting with Jeff Conti

David Webster reported on a meeting with Jeff Conti attended by Kathleen Baskin and Tino Lichauco. Webster reported that Jeff Conti intended to ask town counsel about measures that could be taken to record a conservation restriction at Rock Meadow and to confirm Commission jurisdiction over Rock Meadow.

Perennial Streams

Nancy Davis asked about assessing the characteristics of a stream with each application and proposed that the character of each stream be discussed by the Commission, on a regular basis, for the sake of consistency. A discussion ensued on how to achieve this goal given budget constraints. No agreement was reached.

Library

Nancy Davis drew attention to an earthwork activity in the parking lot behind the library. It was noted that Mary Trudeau and Miriam Weil had visited the site and discussed the situation with the Contractor and Ara Yogurtian of the Community Development Office.

Adjournment

N. Davis moved to adjourn. Moore seconded. The motion passed unanimously.

The meeting was adjourned at 11:30 P.M.

Submitted by Faustino Lichauco and Mary Trudeau

September 15, 2009

Belmont Conservation Commission

David Webster	Commissioner
Margaret Velez	Con Com
F. A. Lechavre	Con Com
Jeff North	Associate CC
Debbie Hartman	Friends of Rock Meadow
MANOHA MOORE	Con Com
Nancy Davis	Commissioner
Barbara Gardner	Associate con comm
Keith Moskowitz	Moskowitz Law Associates
DAVID MCCLINTICK	new neighbor Somerset
Andrew Bram	Atty for 240 Somerset St. Petitioners
Susan Samuelson	owner 15 Shady Brook Ln
Edwards Hemersley	

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