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Conservation Commission Minutes, November 17, 2005

ARLINGTON CONSERVATION COMMISSION
 MINUTES
 NOVEMBER 17, 2005

Mr. Stevens called the meeting to order at 7:30 p.m. in the second floor conference room of the Town Hall Annex. Present were Timothy Sullivan, David White, Ellen Reed, Catherine Garnett, William O'Rourke, and Judith Hodges of the Commission. Elsie Fiore, Eugene O'Neill, Doris O'Neill, Helene Hall, and Erin MacGregor were also in attendance.
 7:30 p.m. - COMMISSION BUSINESS

Ms. Reed took the notes at this meeting due to Ms. Beckwith injuring her right arm.

Mr. White distributed copies of an article in Arlington Advocate in the Police Log, regarding illegal dumping of leaves on town land on Arlmont St, on November 8.

White/Hodges motioned to approve the 2006 meeting schedule; motion passed unanimously.

O'Rourke/Sullivan motioned to approve the 10/20 and 11/3 minutes; motion passed unanimously.

Mr. O'Rourke visited George Lake's property on Spy Pond. The small stone wall was rebuilt, but it tips toward the pond, took 9 months to build, contractor says he will rebuilt a section about 35 foot long next spring.

Ms. Beckwith reported the fencing at the top of the slope at the Spy Pond Park project was completed and it appears nice. The park will not open until Spring.

Ms. Beckwith reported on the Stormwater Bylaw review committee meeting the previous Monday. The draft will be sent to the Attorney General, then the warrant opens in late Dec to January for submittal to the Town Meeting.

Ms. Fiore reported that the Final Environmental Impact approval was issued today for the Bulfinch property, Cambridge Discovery Park. She also reported that the Sunnyside residents are filing a suit against the issuance of the CSO permit for the City of Somerville. John Maher has copies of the suit.

Mr. White report that the Land Stewards would like to install a couple of the Conservation Land signs, but still need posts. Ms. Beckwith responded that DPW (either John Sanchez or Don McCabe, both now at Grove St) have posts for our use. Mr. White can drill through signs to attach to posts.

Mr. White suggested a response is in order regarding the letter to the editor in the Advocate on the Symmes project. Mr. White or Mr. Stevens will draft this response.

Ms. Garnett reported on Mohawk Rd conservation land, that dumping had occurred on the NSTAR owned portion of parcel and that citizens had cleaned it up. Ms. Garnett had caught one landscaping firm dumping. She wondered whether NSTAR would be amenable to selling land to the Town of Arlington for conservation, but possibly they need to retain this land for security purposes. The Arlington Land Trust could ask for a conservation easement via letter. The neighbors could be stewards. Mr. Sullivan responded that he thinks NSTAR will refuse to respond to this request. The next action could be to post No Dumping signs. Mr. White will draft a letter to NSTAR.

8pm – 0 SPY POND PARKWAY – Notice of Intent hearing continued from 10/20.

Mr. Stevens reopened the hearing with a report of the site walk of 10/28. The consultant showed the board where the Buffer Zone boundary was located on the lot, locations of test pits, existing vegetation, the drainage outlet structures and the relation to abutting properties. The Commission and Ms. Beckwith searched for evidence of vernal pool inhabitants (none were observed) and

looked at soil samples for evidence of hydric soils (no wetland soils were observed). The drainage outlet from the end of Spy Pond Parkway was located in an area where grass clippings have been dumped for years (according to the neighbors). The floodplain boundary was included on the most recent site drawings with elevations.

Ms. MacGregor reported that the lot owner, Mr. Lombardi, was still investigating the connection to the storm drain and how it will be reconfigured. Mr. Lombardi must look at the Town's drainage system, which is located outside the 100 ft Buffer Zone.

Mr. O'Neill, an abutter, is concerned about water ponding in catch basin and property until Spy Pond drops during a flooding situation. The open lot serves as a water storage area.

Mr. O'Rourke asked if the Commission would require a BMP, deep sump or something. The drain could run along the property line and daylight at the pond after the water is treated.

Ms. Garnett asked if the board had a precedent with this type of situation. No response from the rest of the board.

Mr. O'Rourke responded that a simple drainage study with drywells in the front yard, would be a straightforward approach that shouldn't hold up a proposed project.

Mr. Stevens responded that the board is protecting three Resource Areas: Spy Pond, Bank, and Buffer Zone.

Mr. O'Rourke asked the consultant for a drainage analyses, to see where the redesigned pipe would daylight, and possibly also collect roof runoff. Mr. White asked what responsibility does the Town have regarding the road drainage.

Mr. O'Neill described about how this neighborhood, Kelwyn Manor, has private ways, and repaving is paid by the homeowners association, but sewers are Town of Arlington.

The Commission reviewed the revised landscaping plan which had identification of trees to be removed, recorded on tree replacement plan, 7 more trees along the southern boundary as a buffer.

Ms. Garnett commented that there was no plan showing the trees to be removed. Ms. Beckwith asked if all of the trees were being removed? Ms. MacGregor responded that no, several tall trees on neighbor's boundary were not flagged and would remain.

Ms. Garnett expressed dismay that the lot would be clear cut down to the pond, the only trees counted in the removal were those bigger than 5 inches, dbh, and there shouldn't be grass lawn in the resource area. She thought that the plant replacement specification of the regulations should be fully met. She expressed concern that this lot would not be regulated after it was sold to the homeowner.

Ms. Beckwith explained that the existing shrub layer were mainly invasives. The existing trees on the lot were not (in general) invasive species.

Mr. O'Rourke expressed support for the proposed revised landscaping plan.

Mr. White asked for something other than the grass mix, something native, dense, low growing, stoloniferous (reproduces by stolons, like a strawberry plant), in the 50 foot buffer area.

Ms. Beckwith will include a condition in the permit for monitoring of planting plan, replacement and upkeep.

Mr. O'Neill said that he would contest the 100-year floodplain determination, that its out of date. He has documented two storms in last 10 years that have exceeded the 100-year elevation on that lot. The evidence is in the video which he submitted to the board. The pond rises beyond buffer zone to above elevation 11 ft. The proposed project is to fill in the swale between 10 and 11 ft elevation. The Commission will view the video at the next hearing.

Ms. Fiore expressed concern about noise from Route 2 and commented that this corner of Spy Pond receives lots of floating debris in the fetch (prevalent winds).

Mr. O'Neill said he is concerned that the landscaping plan includes screen for noise when the existing trees come out, dismay with removal of any trees. He is concerned that proposed house be properly connected to town sanitary sewers, need to confirm high water elevation. He would like a copy of the Notice of Intent narrative. He is concerned about the proposed grading and the amount of fill. He will not dispute the wetland determination. He described that the carp spawn at the bank of this lot. He has a major concern about where the flood water will go.

White/O'Rourke motioned to continue the hearing to Dec. 1 at 7:45pm to allow for submission of a revised landscaping plan and a stormwater drainage plan; motion passed unanimously.

The Commission voted to convene at approximately 10 p.m.

Respectfully submitted,
Corinna Beckwith
Administrator