

Projects 2/#58000/Belmont Uplands

December 9, 2003

Mr. William Brownsberger, Chair
Board of Selectmen
Belmont, MA 02478

Mr. Joseph Barrell, Chair
Planning Board
Belmont, MA 02478

Subject: Belmont Uplands - Conservation Commission Letter to Belmont Board of Selectmen and Planning Board.

Dear Mr. Brownsberger and Mr. Barrell:

We are grateful to present our position with respect to the Belmont Conservation Commission's letter, dated December 3, 2003. Representatives from Epsilon Associates, Inc. were present on behalf of O'Neill Properties at the October 24th, November 4th, 13th, and 20th, 2003 Belmont Conservation Commission public meetings. We have also been in attendance at numerous Board of Selectmen hearings and the November 25, 2003 Planning Board hearing.

It is our understanding that the purpose of the Conservation Commission meetings were 1) to provide a forum for interested parties to comment on the proposed Belmont Uplands project, 2) to hear from the project proponent, and 3) for the Commission to draft a set of written recommendations for the Board of Selectmen's consideration as the Selectmen finalize written agreements with the project proponent.

This letter begins with a general statement regarding available information pertaining to the proposed project. It then addresses specific sections of the Conservation Commission's letter; those sections are quoted below in italics, and our responses follow.

CONSERVATION COMMISSION COVER LETTER

General Comment

In addition to public testimony by project engineers and scientists, the proponent has submitted a significant amount of data and information to the Belmont Conservation

MH
4:12 12/9/03
P.M.

PRINCIPALS

Theodore A. Barter, P.E.

Margaret B. Briggs

Michael E. Guski, CCM

Samuel G. Mygatt, L.L.B.

Dale T. Raczynski, P.E.

Cindy Schlessinger

Lester B. Smith, Jr.

Victoria H. Fletcher, RLA

Commission relating either to the current residential development proposal or the prior commercial development proposal. These documents and reports include but are not limited to the following:

- Open Space Maintenance Plan
- Draft Conservation Restriction
- Commercial Development Notice of Intent (Valuable information on existing floodplain elevations, vegetation cover types, wildlife habitat, best management practices, and mitigation measures can be found in this document.)
- Conceptual site plans (including a comparison of impacts on the 100-foot buffer zone and revised wetland delineation between the commercial development and residential development)
- Massachusetts Environmental Policy Act Draft and Final Environmental Impact Reports
- Public testimony

Much of the data and supporting documentation in these reports (including wildlife habitat and wetland resource mitigation measures, compliance with applicable state stormwater management policies, and open space preservation) remains relevant for the residential proposal under review at this time. It was thus disconcerting to find that the Belmont Conservation Commission formalized its conclusions and recommendations solely on information provided by the "Friends of Alewife" and the authors of the "Biodiversity Study of Alewife Reservation Area," without taking into consideration the full library of data and mitigation plans available to it. The proponent remains committed to a comprehensive mitigation program which addresses many of the concerns raised by the Commission insofar as the Commission's issues relate directly to this project. These measures include but are not limited to the perpetual preservation of open space, a reduction of impacts in the buffer zone, wildlife habitat improvement measures, compensatory flood storage, and enhancement plantings.

Specific Comments

"In eastern Massachusetts, this parcel is a unique stand of predominantly silver maple. From detailed satellite surveys, this piece of land can be identified as a rare spot where forested wetland and oak/maple/birch forest merge. It is the last place in the Boston basin where these two important habitats merge."

Mixed hardwoods (or central broad-leaved forests) consisting of oak/maple/birch forest cover extend throughout southern New England into New York and New Jersey and

similar latitudes throughout the United States. This is perhaps our region's most basic hardwood subtype.

"The silver maple fills a specific role. The newly broken buds are an important food source for many birds at the critical time of late winter ..."

Food resources may change during the winter months when the berries have disappeared, insects are no longer available, and snow covers the low growing herbaceous vegetation. The majority of bird species identified as potentially occurring on the site have adapted to an omnivorous strategy; their diets include a wide variety of plant and animal foods. In addition to silver maple trees (*Acer saccharinum*), aspen trees (*Populus spp.*) produce buds in winter that contain a variety of minerals, fats, proteins, and carbohydrates to nourish a number of over-wintering bird species. Crab apple (*Malus spp.*) trees with their twigs, buds, bark, poison ivy (*Toxicodendron radicans*) with its persistent fruit, bittersweet (*Celastrus spp.*) with its fruits, buds, and leaves, rose (*Rosa spp.*) with its hips as an alternative food source, and oaks (*Quercus spp.*) with their acorns are all excellent sources of winter food. These plant species are all found on the project site. Lastly, silver maple trees exist in fair numbers beyond the proposed development area onto the Conservation Restriction parcel and will continue to provide supplemental food and cover for wildlife.

"A bird survey and a mammal tracking survey of the reservation found 90 species of birds including 45 species nesting and also evidence of 19 mammals including muskrat and mink. This diversity can exist only because of the size, shape and microclimate of the silver maple upland bordering on the substantial wetland and as an integral part of the whole larger Greenway."

Use of this data warrants clarification. The "Biodiversity Study of Alewife Reservation Area – Species, Habitat and Ecosystems" pertains to the 120-acre Alewife Reservation and not solely the 15.6 acre Uplands site. Permanent or long-term adverse impacts to wildlife habitat and associated wildlife populations are not expected because of the limited amount of alteration proposed (approximately 6.5 to 7 acres of the 15.6 acre private parcel will be disturbed). When the project site and the adjoining Alewife Reservation are viewed in conjunction with one another (as the Commission has repeatedly done in its letter), project related impacts account for approximately 5.1% of the total land area. Meaning, nearly 95% of the existing undeveloped land area on-site and off-site will remain in its current state upon completion of this project.

Furthermore, the majority of species (particularly the mammal species) identified in the study are well adapted for an urbanized environment; many of them are "generalists" and not "specialists," in that they are not necessarily dependent on a specific or unique habitat type. Generalist species are very adaptive; their success is directly related to their ability to adapt to changing conditions. There is no scientific data to support the

statement that such “diversity can exist only because of the size, shape and microclimate of the silver maple upland bordering on the substantial wetland.”

“The Commission feels that the Uplands is an essential component of the reservation and should not be developed..”

The Uplands parcel is in private ownership and is not part of the publicly accessible Alewife Reservation. Through this development, however, passive recreation and public use will be encouraged through a well-conceived “Open Space Maintenance Plan” and interpretive trail network on the proposed conservation restriction parcel.

APPENDIX A

Environmental Value of the Uplands - “Development of the Uplands site will almost certainly inflict serious losses upon existing threatened populations of wildlife in an area well beyond its immediate borders and will eliminate the unique forest there.”

There is no scientific evidence to support this statement. Permanent or long term adverse impacts to wildlife habitat and associated wildlife populations are not expected because of the limited amount of alteration proposed. As noted above, when the project site and the adjoining Alewife Reservation are viewed in conjunction with one another, project related impacts account for approximately 5.1% of the total land area. Meaning, nearly 95% of the existing undeveloped land area on-site and off-site will remain in its current state upon completion of this project.

Secondly, there are no threatened populations of wildlife on the uplands site. Many of the species identified as occurring on or near the site (including gray squirrel, chipmunk, white-footed mouse, deer, coyote, skunk, and raccoon) are well adapted for an urbanized environment; many of them are “generalists” and not “specialists,” in that they are not necessarily dependent on a specific or unique habitat type.

Environmental Value of the Uplands - “Negative effects on the wetlands on the site are to be expected, because fire roads and the building intrude well into the buffer.”

It is not clear how the Conservation Commission reached this conclusion when one considers that 1) approximately 86% of the total project footprint is outside the buffer zone, 2) approximately 95% of proposed impervious surfaces are outside the buffer zone, and 3) the building, at its nearest point, is greater than 50-feet from the nearest wetland flag.

The Conservation Commission has likely issued many Orders of Conditions and Determination’s of Applicability over the years approving projects proposed in the 100-foot buffer zone to wetland resource areas without adverse impacts on down gradient wetland resource areas. The proponent will submit a Notice of Intent application with

appropriate mitigation measures demonstrating full compliance with the Massachusetts Wetlands Protection Act's performance standards. Negative impacts to wetland resource areas are not anticipated.

Environmental Value of the Uplands - "Mr. Katuska goes on to say: 'The floodplain forest present at the site retains, in spite of and possibly because of its history of disturbance, a broad suite of environmental functions and values'"

No impacts are proposed to a "floodplain forest". The stand of silver maple is well above the 100-year floodplain. Secondly, the project proposes to alter a very small and permittable percentage of actual floodplain with compensatory flood storage measures that exceed the requirements of the Massachusetts Wetlands Protection Act (MGL c.131 s.40). Thus, the ability of the floodplain to provide those values presumed to be significant under the Wetlands Protection Act will not be impaired.

Wetlands Buffer - "The encircling 18-foot wide fire road is located within the Buffer, as are certain areas of the six prongs of the proposed building and lawn and other landscaped areas. This may eliminate the protection of wetland and stream resources, which the buffer is supposed to provide pursuant to both the Wetlands Protection Act and the various studies on the role that buffer areas play in protecting wetland areas and wildlife habitat upon such wetlands. Some degree of degradation from intrusion by humans, pets, automobile toxins etc. is inevitable if the project is built in this sensitive area ..."

The Conservation Commission is the permit issuing authority under the Wetlands Protection Act. The 100-foot buffer zone is not a jurisdictional wetland resource area, rather, it is the extent of the Conservation Commission's jurisdiction. Activities proposed in the 100-foot buffer zone will be subject to a formal review by the Commission upon its receipt of a Notice of Intent application. At that time, the proponent will have the burden of demonstrating that the project complies with the Wetlands Protection Act performance standards, including protection of down gradient wetlands and stream resources. We believe it is premature for the Conservation Commission to conclude that "some degree of degradation from intrusion by humans, pets etc are inevitable" without having reviewed a Notice of Intent application and the mitigation measures described therein.

Stormwater Runoff - "... the Conservation Commission is concerned that once the project is built, there will be a greater volume of stormwater runoff from the site than now exists. The developer's plans do not address the stormwater storage capability of the silver maple tree forest, which would be removed under the developer's plans. Silver maple trees are deliberately planted by foresters in areas prone to flooding and grow naturally in floodplains ..."

The majority of the silver maple trees are situated well above the 100-year floodplain and beyond the 100-foot buffer zone. In addition, silver maples are not simply found in floodplain areas. They are also commonly found in poor, low oxygenated soils similar to the fill material found throughout the site. Furthermore, it is not clear why the stormwater storage capability of the silver maple forest is relevant. The project is subject to the Massachusetts Department of Environmental Protection's Stormwater Management Policy and will comply fully with the standards referenced therein. Preliminary engineering calculations confirm that post-development peak discharge rates will not exceed pre-development rates on the site at the point of discharge or on down gradient property boundaries for the 2-yr, 10-yr, 25-yr and 100-yr, 24-hr storm events. The project's stormwater design will not increase off-site flooding from the 100-yr, 24-hr storm. Full and complete compensatory flood storage will be provided.

Lastly, as is the norm, supporting engineering calculations demonstrating compliance with these standards will be included in the Notice of Intent permit application filed with the Conservation Commission. It is understood that at that time, these engineering calculations will be reviewed by an independent engineering firm hired by the Conservation Commission and paid for by the proponent.

Flooding - "As proposed, a portion of the footprint of the project is right up against the 100-year floodplain line ... moreover, much of the buffer and the encircling fire road would be under water in a 100-year flood."

According to the Flood Insurance Rate Map (FIRM) for the project site, a "Zone A5 - Area of 100-Year Flood" with a base flood elevation of 8.2-feet National Geodetic Vertical Datum (NGVD) overlays the subject parcel. To address concerns regarding the accuracy of this FEMA information, project engineers added an additional 6-inches to the FEMA-FIRM base flood elevation. The project has been designed using this extremely conservative elevation.

A very limited section of the proposed fire road will be located in the 100-year floodplain. The proponent will continue to work with the Belmont Fire Department regarding the road's location and design.

Lastly, full compensatory flood storage will be provided in accordance with the MA Wetlands Protection Act for any impacts to the 100-year floodplain.

Pollutants – “The undeveloped uplands parcel recharges groundwater, sustaining wetlands onsite, as well as Little Pond, Little River, through a cleaner, more natural and ultimately beneficial hydrologic system.”

In accordance with Standard #3 of DEP’s Stormwater Management Policy and the MA Wetlands Protection Act, the annual groundwater recharge for the post-development site will approximate the annual recharge when compared to existing conditions.

Sewage – “Beyond the ecological impacts to water quality from the loss of forest, there is a larger problem. Substantial sewage flows from any development scenario, residential or commercial, will exacerbate existing water quality ... Without a complete re-build to correct leaks, cross-connections, collapses, and to carry a heavier flow, the water quality of Little Pond and Little River is threatened during severe weather events, as is the well being of the Winn Brook residents.”

As is typically required for new developments, the proponent will work closely with the Town’s engineering department to design a sewage system for the project which will not exacerbate sewage problems experienced in some areas of Belmont. The proponent has committed to pay an appropriate inflow and infiltration (I/I) mitigation fee to the Town. That fee will be used to fund the removal of I/I from the sanitary sewer collection system, thus mitigating downstream capacity issues that occur during wet weather.

Secondly, as described in the Memorandum of Agreement with the Board of Selectmen, the proponent is committed to evaluating the feasibility of incorporating into the project design, an on-site wastewater storage tank that would detain wastewater flows during a specified precipitation event. This design will be subject to review and approval by the MA Department of Environmental Protection.

Air Quality – “Removal of the trees is removal of a valuable air purifying system especially beneficial to the neighboring community.”

The Conservation Commission did not provide any scientific data in support of this broad-based general conclusion. We would suggest that the presence of Route 2 and other adjoining roadway systems has a far greater effect on local air quality than would the very limited amount of tree clearing actually proposed.

Wildlife/Biodiversity – “We expect that development of Uplands will inflict serious losses upon decreasing populations of wildlife in an area well beyond its immediate borders ... once the Uplands are gone certain animals will leave the area ...”

There are a variety of factors (many of which are unknown) beyond the loss of a particular monoculture stand of trees that may cause local wildlife populations to leave an area. Generalist species are typically very adaptive, and their success is directly related to their ability to adapt to changing conditions. Perhaps more importantly, when the project site and the adjoining Alewife Reservation are viewed in conjunction with one another, project related impacts account for approximately 5.1% of the total land area.

Wildlife/Biodiversity – “Although under significant stress from invasive and non-native species, the mixed association of forest stands, scrub-shrub wetlands, and small marshes provides a diverse patchwork of habitat types with value for a wide variety of urban and suburban wildlife species...”

Aside from the monoculture stand of silver maple and prevalent invasive plant species (primarily buckthorn), a diverse network of habitat types will remain upon completion of this project. Existing scrub-shrub wetlands and freshwater marsh habitats will not be impacted. An extensive amount of adjoining upland forest (with silver maple trees interspersed throughout) will also remain untouched on the Conservation Restriction parcel.

Environmental Education Opportunity – “The location within the metropolitan area and close to the Alewife line makes the uplands forest an ideal educational site for inner city school children, college students and other area residents ...

While the proponent currently permits access onto the site, it is important to emphasize that the Uplands parcel is in private ownership and is not part of the publicly accessible Alewife Reservation. Through this development, however, passive recreation and public use will be encouraged through a well-conceived “Open Space Maintenance Plan” and interpretive trail network on the proposed conservation restriction parcel.

APPENDIX B

Placement of the Building on the Site

“Preserve as much open space as possible.”

The proponent has preserved as much open space as is economically practicable. A significant portion of the property (nearly 8 acres or approximately 50%) will be preserved in perpetuity through a conservation restriction.

“A flexible zoning by-law should be adopted to permit the structures to be located as close as possible to Acorn Park Drive.”

The proponent has made a concerted effort to keep as much of the development footprint beyond the 100-foot buffer zone and as far from delineated wetlands as is practicable and will continue to do so in accordance with local permitting and zoning requirements.

“Incentives could be built into the plan for the developer to deck parking over the top of Acorn Park Drive, an area that is already paved ... Consider a mix of residential and commercial uses to provide incentives to deck the parking and construct a building with the smallest possible footprint”

It is likely not practicable from a constructability, traffic flow, aesthetic or engineering perspective to design and construct an elevated parking deck above Acorn Park Drive. The proponent is requesting authorization from the Town of Belmont to construct a residential development as opposed to a mixed use commercial/residential development.

Size and Shape of the Building

“The scale of the structure should be appropriate to the transition. Hi-rise construction is not appropriate. Mid-rise (3 or 4 stories) is more appropriate.”

We believe such a recommendation is beyond the purview of the Conservation Commission. The proponent will continue to work closely with the Belmont Board of Selectmen and with the Planning Board through the permit approval process to design a residential development that is appropriate for the designated land use.

Buffer Zone, Wetland and Rivers Act Order of Conditions

“No construction in the buffer zone ... Appropriate to the sensitivity of the space, the buffer zone parallel with Little Brook must be 200-feet wide ... Buffer zones must be left in their natural state, including dense vegetation ... No cutting of trees in buffer zone ... Construction equipment prohibited from the buffer zone.”

Activities proposed within the 100-foot buffer zone or 200-foot riverfront area are subject to review by the Conservation Commission under the Wetlands Protection Act. The Wetlands Protection Act does not prohibit activities in these areas nor does the Act mandate specific setbacks (i.e., no-disturbance zones or no-construction zones) provided proposed work complies with the applicable performance standards for the resource area in question. The project does not currently propose any activities within the 200-foot riverfront area and 85% of the project is situated outside of the 100-foot buffer zone.

The above notwithstanding, it is unclear as to what precedent the Commission is drawing from when proposing such restrictions to the Board of Selectmen and Planning Board. Furthermore, it is premature to suggest that such stringent restrictions be incorporated into written agreements with the Board of Selectmen without the Conservation Commission having reviewed and acted upon a Notice of Intent permit application itself. When the project design has sufficiently advanced, the proponent will file a Notice of Intent application demonstrating compliance with the Act.

Stormwater System

“Require Conservation Commission review of all storm water systems concurrent with planning and preparing the MOA, not after design approval ... Submit preliminary stormwater management plan to Conservation Commission concurrent with preliminary design to establish the location of all detention basins and grassed swales.”

As noted above, the Conservation Commission is the permit issuing authority under the Wetlands Protection Act. The proposed stormwater management system will be subject to the Commission’s formal review upon its receipt of a Notice of Intent application. At that time, the proponent will have the burden of demonstrating that the project complies with DEP’s Stormwater Management Policy.

“Stormwater retention basins on the northwest corner of the site should drain into little Pond, not to Little River for the purpose of stormwater circulation and fisheries ...”

Such a design may not be permissible under the Wetlands Protection Act regulations. The proponent’s stormwater management system design should maintain pre- and post-construction sub-watersheds so as not to divert hydrologic inputs from one jurisdictional

wetland resource area to another. Otherwise, a reduction in hydrologic inputs in one wetland and an increase in hydrologic inputs in another may have permanent unmitigated impacts within each resource area.

When the project design has sufficiently advanced, the proponent will file a Notice of Intent application with the Conservation Commission demonstrating compliance with the Act and with DEP's Stormwater Management Policy.

"Consider locating stormwater control devices within the public right-of-way in exchange for comparable area left undisturbed on the parcel to be developed."

It is premature to include such a condition in the written agreement with the Board of Selectmen. However, the proponent remains committed to evaluating all practicable and feasible design alternatives including the possibility of locating stormwater control devices within the public right-of-way. When the project design has sufficiently advanced, the proponent will file a Notice of Intent application with the Conservation Commission demonstrating compliance with the Act and with DEP's Stormwater Management Policy.

Sanitary System

"Submit plan for utility connection in advance of preliminary design ... Require sewer line be constructed under existing roads ... If sewer connection cannot be made directly to Cambridge main; require a monetary contribution toward repair/re-lining of the main's in the Winn's Brook area."

As is typically required for project's proposed in Belmont, the proponent will work closely with the Town's engineering department to design a sewage system which will not exacerbate sewage problems experienced in some areas of Belmont. The proponent has committed to pay an appropriate inflow and infiltration (I/I) mitigation fee to the Town. That fee will be used to fund the removal of I/I from the sanitary sewer collection system, thus mitigating downstream capacity issues that occur during wet weather.

Amenities

"Limit size and location of playgrounds, tennis courts, outside swimming pool."

Amenities will be confined to the development footprint currently proposed to the Board of Selectmen and Planning Board.

"Allow no decks or patios on the ground beyond the approved building outline."

Decks and patios will be confined to the building outline currently proposed to the Board of Selectmen and Planning Board.

"Additional roads or ramps must be prohibited."

It is not clear as to what roadways or ramps the Commission is referring to. This statement warrants clarification.

"To reduce toxins in runoff, prohibit car-washing or other maintenance of vehicles to keep oil and gasoline out of runoff."

A detailed "operations and maintenance plan" will be included with the Notice of Intent application outlining long term maintenance procedures for the proposed stormwater management system including but not limited to maintenance of deep sump catch basins and outlet control structures. Limitations on vehicle maintenance, fertilizers, pesticides, herbicides, snow storage and related matters will be described in this plan.

Other Considerations

"Place strict limitations on snow/ice treatments ... chemical fertilizers and pesticides on site."

As previously requested by the Conservation Commission, limitations on snow/ice treatments, fertilizers, pesticides, herbicides and snow storage are included in the proposed zoning bylaw. These restrictions will also be described in an operations and maintenance plan included with the Notice of Intent application.

"Require that the fire road be constructed on permeable materials ..."

The proponent will continue to work with the Fire Department to provide a road that can safely support fire apparatus and vehicles while minimizing the extent of impervious surface.

"Rules for use of Conservation land must be approved by the Conservation Commission."

Agreed.

"Rules must include picking up after pets and prohibiting pets off-leash."

Agreed.

"Require full cut-off lighting fixtures."

Agreed.

"Require a barrier of vegetation buffer to minimize light, noise, people and pets spreading into wildlife habitat."

Similar to the adjoining Alewife Reservation, passive recreation will be encouraged through a well conceived "Open Space Maintenance Plan" and interpretive trail network. In addition, the Conservation Restriction will have specific language prohibiting construction of new trails through the buffer zone. It is anticipated that such mitigation measures will keep people and their pets in appropriate locations and outside of sensitive wetland resource areas.

"All units must be furnished with window shades and their use must encouraged at night time to reduce scattered light and reduce impact on animals at night."

No comment.

"Developer must be required to participate in the cost of improvements to Town utilities made necessary by development in general, not just Upland specifically."

As is standard practice, the proponent will upgrade those town utilities which service the project directly (i.e., sewer and water connections) and as may be required by the Belmont Engineering Department. It is inappropriate to require the proponent to participate in the cost of improvement to town utilities impacted by developments undertaken by others, which are unrelated to the Uplands development.

"Developer must be required to participate in the cost of improvement to abutting Commonwealth of Massachusetts (DCR) property."

It is beyond the purview of the Conservation Commission to act on behalf of the Commonwealth of Massachusetts and suggest that the proponent assume costs unrelated to this private development for undefined improvements on state-owned land.

"Submit for Conservation Commission review, proposed use of conservation land and buffer that might be part of the development for protection of wildlife."

Wildlife habitat enhancement measures are described in detail in the *Belmont Uplands Site - Open Space Maintenance Plan* but will generally include the management techniques listed below.

- Promote the development of snags (dead trees) by girdling select trees in remote locations. Snags serve to encourage the presence of a variety of insects on which vertebrates such as birds and mammals feed. Snags also provide a substrate that animals can use to create cavities for nesting and roosting. Bats are also known to frequent areas beneath the loose bark of dead trees.

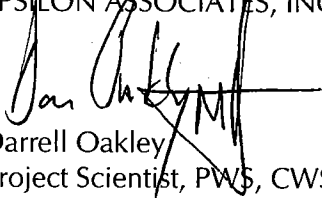
- Retain fallen trees and large branches. The presence of large pieces of dead wood in contact with the ground provides suitable nesting and feeding habitat for certain reptiles, amphibians, and small mammals.
- Provide escape cover for some birds and mammals by creating brush piles in scattered locations throughout the site.
- Augment nesting habitat for birds and squirrels by providing a variety of nesting structures and boxes throughout the site.
- Promote or augment the growth of native and non-invasive plant species that provide valuable sources of food, such as pin oak, shagbark (*Carya spp.*) or pignut hickory (*Carya ovata* or *C. glabra*), American hazelnut (*Corylus americana*), hawthorn (*Crataegus* sp.), highbush blueberry (*Vaccinium corymbosum*), highbush cranberry (*Vaccinium trilobum*), northern arrowwood (*Viburnum spp.*), and gray dogwood (*Cornus spp.*). These species provide primarily nut and berry food sources as well as cover for nesting and escape, and are generally tolerant of a variety of soil conditions and previous disturbance.
- Manage open field/grassland to promote more specialized habitat for bird species such as woodcock (*Scolopax minor*), song sparrow (*Melospiza melodia*), red-tailed hawk (*Buteo jamaicensis*), and American kestrel (*Falco sparverius*).

“Request that the developer participate in restoring the wetlands between Acorn Park Drive and the Martignetti property before Belmont accepts a Conservation easement.”

This request warrants clarification and additional site specific information from the Conservation Commission. The proponent will submit a Notice of Intent application to the Conservation Commission demonstrating that the Uplands project avoids, minimizes and mitigates wetland impacts to the best extent practicable. Mitigation measures described in this application will correlate directly with project related impacts.

We appreciate the opportunity to provide the Board of Selectman and Planning Board with these written comments. We would be pleased to make ourselves available should you require further information or clarification as you assess this project.

Sincerely,
EPSILON ASSOCIATES, INC.



Darrell Oakley
Project Scientist, PWS, CWS

CC: *O'Neill Properties*