

Belmont Citizens Forum

Vol. 5, No. 1

A Newsletter for Belmont Residents

January 2004

ConCom Recommends Preserving Uplands

By Jim Graves

Citing unique local habitats, ecological diversity, and serious sewer failures nearby, the Belmont Conservation Commission has recommended protecting the Belmont Uplands at Alewife from development in perpetuity. In a letter to the Belmont Selectmen and the Planning Board dated December 3, 2003, the Commission said:

“...[T]he citizens of Belmont would be surrendering something valuable and irreplaceable were they to agree to development of the Uplands. In view of the ecological value of the Silver Maple Forest, the important wildlife, and the wildlife habitat that is documented in the materials that were presented to the Conservation Commission, and the proximity of the Uplands to the Alewife Reservation, the ideal plan is to have the entire Uplands preserved in perpetuity as a protected natural area. This means it would become an extension of the resource areas and related wildlife and bird habitat of the Alewife Reservation. We believe that this could be possible if public and private organizations worked to acquire the site.”

The commission supported preserving the Uplands for many reasons, including the following:

* The Uplands’ stand of predominantly silver maple trees is unique in eastern Massachusetts. It is the last place in the Boston basin where forested wetland and oak/maple/birch forest merge.

* “A bird survey and a mammal tracking survey of the state’s Alewife Reservation and the adjoining

Uplands found 90 species of birds, including 45 species nesting, and evidence of 19 mammals including muskrat and mink. Nineteen species of animals found in the reservation require both wetland habitat and upland for survival. This diversity can exist only because of the size, shape and microclimate of the silver maple upland...as an integral part of the whole larger Greenway.” [the network of linear parks and open space along the Alewife Brook and other local waterways that connect to the Alewife Reservation -ed.]

*“The Alewife Reservation and Uplands comprise the only area of its size and type accessible by public transit to students of Arlington, Cambridge, Boston, Belmont, and surrounding towns.

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Environmental Events Calendar

Saturday, January 24, 5:30 to 8:00am: **Owls and Breakfast.** Join Bob Stymeist in looking and listening for owls. There is a \$15 fee for Mass Audubon members and a \$18 fee for non-members. Register by calling (617) 489-5050. Meet at the Habitat Wildlife Sanctuary, 10 Juniper Road, Belmont.

Tuesday, January 27, at 7:30pm: **Eco-Tracking: Signs and Tracks of Animals in Our Midst.** Many so-called "wilderness species" have been insinuating themselves back into their ancestral habitats and are living among us largely undetected today. These animals can be revealed by the tracks that they leave behind. Dave Brown, a lifelong naturalist and birder, will be presenting a program on animal tracking at Waldorf Elementary school. This is jointly spon-

sored by the Friends of Arlington's Great Meadows and Walden Keeping Track. The Waldorf Elementary school is located on 739 Mass Ave, East Lexington. For more information, contact Sandra Ruggiero at sandra.ruggiero@comcast.net

Tuesday, January 27, at 7pm: **Low Impact Development Stormwater Controls.** Steven Roy, a water resources planner, will describe how homeowners can improve and protect water quality and reduce pollution through techniques including rain barrels, no-phosphorus fertilizers for lawn care, pet waste controls, and groundwater recharge using permeable pavers and porous pavement. This free program will be held in the Keverian Room, Everett City Hall (484 Broadway). Sponsored by the Mystic River Watershed Association. For more information and a complete listing of MyWRA's 2003-2004 Winter Speaker Series, contact (781) 316-3438 or janet@mysticriver.org.

Tuesday January 27, 7:30 pm: **Trapelo Road Development in Waltham.** The facilities that once housed thousands on a 190-acre campus are under review by a Reuse Committee created by special legislation. The Waltham Land Trust has joined with the League of Women Voters and Waltham Alliance to Create Housing as the Fernald Center Working Group to help create a community-based reuse plan for this significant part of the city. Come to an informational meeting at the Bartlett School, 1841 Trapelo Road For more information contact memberlink@walthamlandtrust.org or call (781) 899-2844.

Tuesday, February 3rd, 7pm: **Exotic Plant Invaders: Concerns and Controls.** Frances Clark of Carex Associates will discuss the problem of invasive exotic plants in our back yards and communities. What do they look like, why are they a concern, and what can you do to help control these pervasive nuisances? This practical presentation will include slides and answers to your questions. This free program will be held at the Woburn Police Station, Woburn Center. Sponsored by the Mystic River Watershed Association. For a complete listing of the 2003-2004 Winter Speaker Series, contact (781) 316-3438 or janet@mysticriver.org.

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Belmont Citizens Forum Officers and Directors

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Belmont Citizens Forum, Inc.

is a not-for-profit organization that strives to maintain the small-town atmosphere of Belmont, Massachusetts, by preserving its natural and historical resources, limiting traffic growth, and enhancing pedestrian safety.

We do this by keeping residents informed about planning and zoning issues, by participating actively in public hearings, and by organizing forums on key subjects. Our newsletter is published six times a year (January, March, May, July, September, and November). Published material represents the views of the authors and not necessarily those of the Belmont Citizens Forum.

Letters to the editor may be sent to
P. O. Box 609, Belmont MA 02478
or to editor@belmontcitizensforum.org

You may read this newsletter on-line
at www.belmontcitizensforum.org

New Fire Stations Anger, Excite Residents

by Meg Muckenhoupt

Two committees have been working on Belmont's fire stations for three years, but they haven't pleased everyone. After the Fire Station Consolidation Committee analyzed possible sites in exhaustive detail, the Fire Stations Building Committee put forth tentative plans for a new headquarters on an old VW site on Trapelo Road, and a substation in the Alexander Avenue parking lot in Belmont Center. While residents near the Trapelo Road site look forward to a new building, Alexander Avenue neighbors are protesting that station's location. At a December 17 meeting of the Fire Stations Building Committee, Sally Alcorn of Pleasant Street said, "We feel like the whole neighborhood is being torn apart by this issue."

Belmont Needs New Stations

Belmont has too many fire stations, and the current fire stations are wrecks. In the past twenty years, Belmont has reduced its fire suppression and Emergency Medical Services (EMS) staffing by 30%, according to a September 2001 report submitted to the Fire Station Consolidation Committee. The personnel can be housed in just two buildings, instead of

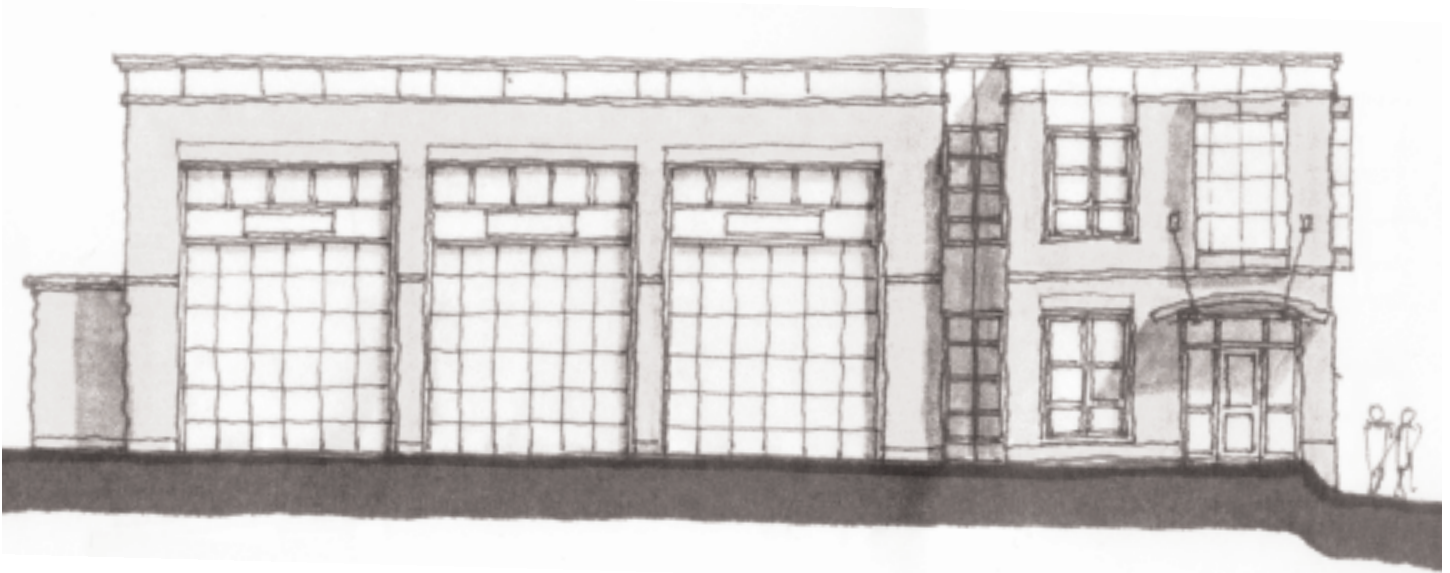
the current three: Belmont Center, Waverly Square, and Harvard Lawn.

The stations are plagued by flooding, collapsing windows and roofs, and inadequate wiring that forces staff to run extension cords under sinks, and rusting pipes. None of them have ventilated shower rooms, or space for showers for female firefighters, and thanks to an unsafe ladder, all hoses must be driven to Belmont Center dry in the hose tower there. The Leonard Street station's doors are three feet too short to fit modern equipment and cannot be expanded. Backing into the Leonard Street Station, firefighters cannot see pedestrians crossing their path. "We have close calls every day" said Fire Chief William Osterhaus.

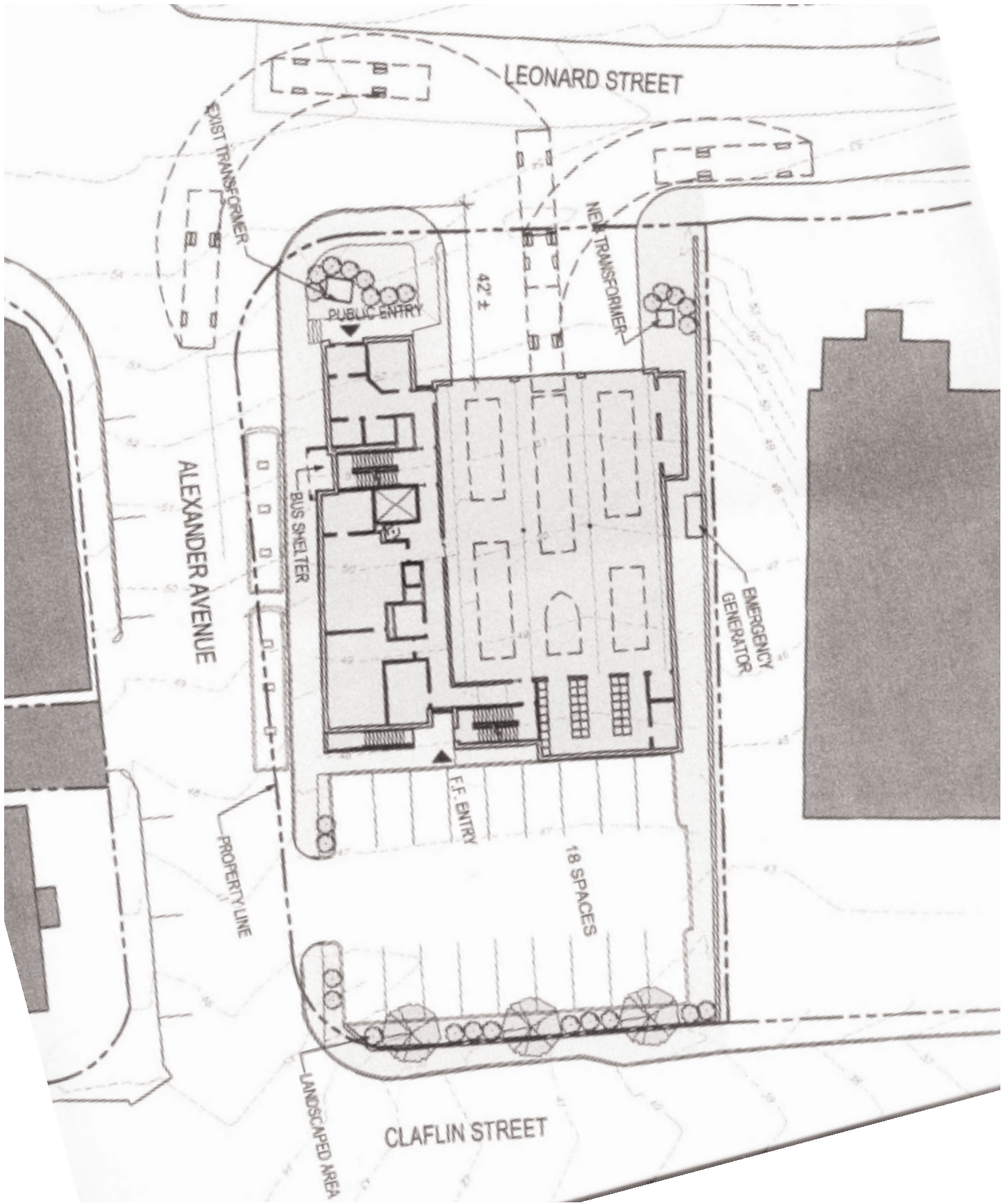
Renovating the Leonard St. station would cost in excess of \$3 million; renovating all three fire stations would cost in excess of \$8.5 million. By contrast, building two new fire stations would cost \$12 million, and the town would receive about \$3 million from selling the old fire station properties, for a net cost of \$9 million. For just \$500,000 more, the fire fighters would get facilities that can house modern equipment and fire fighting staff, and have room to house new equipment in the future.

Last June, Town Meeting voted to establish the

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Artist's rendering of the current design for the proposed Alexander Avenue Fire Substation, as seen from Leonard Street. Drawing by Donham & Sweeney Architects.



Artist's rendering of the proposed Alexander Avenue substation, as seen from above. Engines will exit onto Leonard Street: a new traffic signal will be installed on the south side of the intersection. Drawing by Donham & Sweeney Architects.

Fire Stations, continued from page 3

Fire Stations Building Committee, and gave the committee \$200,000 from the Kendall Insurance Fund for “a schematic level design of a main fire station and substation facility, including expenses related to these projects” This April, the Building Committee will ask Town Meeting for the funds to actually build the stations.

One hundred sites, none of them perfect

The Fire Station Consolidation Committee recommended that Belmont close its three current fire stations and build two new ones. Since vehicles can cross the railroad tracks at only three points – Brighton Street, Belmont Center, and Waverley Square – the committee planned for one station on the south side of the tracks, and one to the north. Three major factors limited site selection; a maximum four-minute response time, money to purchase land, and what Fire Stations Building Committee chair Robert McLaughlin calls a “strong understanding that we should not use eminent domain.” In other words, the committee did not consider any sites that would involve the town “taking” a home or business against the owner’s will.

The four-minute response time is not arbitrary. For house fires, three minutes forty seconds is the standard “flashover” point, where “flame breaks out almost at once over the surface of all objects in the space,” according to a September 2001 report submitted to the Fire Station Consolidation Committee. A heart attack victim's chance of survival if CPR is started within four minutes is four times greater than if it is started after four minutes.

The committee initially examined over 100 sites in Belmont, and quickly reduced the possibilities to fourteen. The Consolidation Committee ultimately recommended that the stations be built on two parking lots: a headquarters on the Claflin Street parking lot in Belmont Center, and a substation on the lot at the corner of Trapelo Road and Williston Road in Cushing Square.

Cushing Square merchants strongly opposed the loss of the 52-space Cushing lot, and Belmont Center businesses objected to closing the Claflin Street lot. The selectmen voted on August 6, 2002, to locate the fire sub-station on the Alexander

Avenue parking lot instead, citing strong opposition to closing the Claflin lot from a survey of local residents and businesses. Selectman Will Brownsberger also said that “a fire station on the Alexander Avenue site has greater potential to be an architecturally appealing gateway to Belmont Center than a parking structure.” Last June, Town Meeting voted to have the town purchase the lot at 297 Trapelo Road (next to Video Plus) for the headquarters.

Belmont Center Substation: Difficult Choices, and Nowhere to Park

Although the Selectmen approved the Alexander Avenue site over a year ago, local residents continue to question the wisdom of siting a fire station on one of Belmont's busiest shopping streets. At a December 17 meeting held to consider the design of the Alexander Avenue site, participants argued about the station's location instead. They are upset at the economic and safety impact of having a fire station in the town’s busiest shopping area. Leonard St. Resident Mary Pederson commented, “You want us to buy into a design for a building nobody wants there.”

Several residents talked about the economic impact of losing the Alexander Avenue lot. The current Belmont Center plan calls for a net loss of 16 parking spaces in Belmont Center. Alfred Alcorn of Pleasant Street commented, “Belmont Center is the Bermuda Triangle of small businesses. Will this parking [loss] be the death knell for business?”

This is the paradox of the Fire Station Building Committee. The Building Committee will affect parking, but it is not responsible for parking. At a selectmen's meeting January 5, the Belmont Center Parking Study Committee recommended fairly inexpensive improvements, instead of a costly new parking deck on Claflin Street, for a net increase of 43 parking spaces. Between the new fire station and the Town Hall Annex renovation, though, the town will lose almost as many parking spaces as it gains through these plans.

Other residents questioned the wisdom of running fire trucks through the center. As Prospect Street resident Rosemary Burke put it on Dec. 17, “Just moving down the block doesn't alleviate issues for firemen getting to a site. If you exit on Leonard or Alexander, you must go through town to get under

bridge.” The architect plans to place a new traffic signal on the Leonard Street, on the south side of the Leonard-Alexander intersection. A vehicle leaving the station would pre-empt traffic signals on Leonard Avenue, Alexander Avenue, and Pleasant Street, and “freeze” all traffic.

Residents were also concerned about the appearance of the building. Architect Brett Donham observed that Leonard Street is not dominated by one particular type of building, but features a variety of small structures. His initial plan called for a building with brick bays, and a concrete face on the living area, so the station would look like a series of smaller buildings, instead of a single brick behemoth.

Pleasant Street resident Eric Anderson responded, “Instead of a hodgepodge, why not take the best elements of Belmont Center and model it on that?” The current design calls for facing entirely in brick.

Are there Alternatives to a Station in the Center?

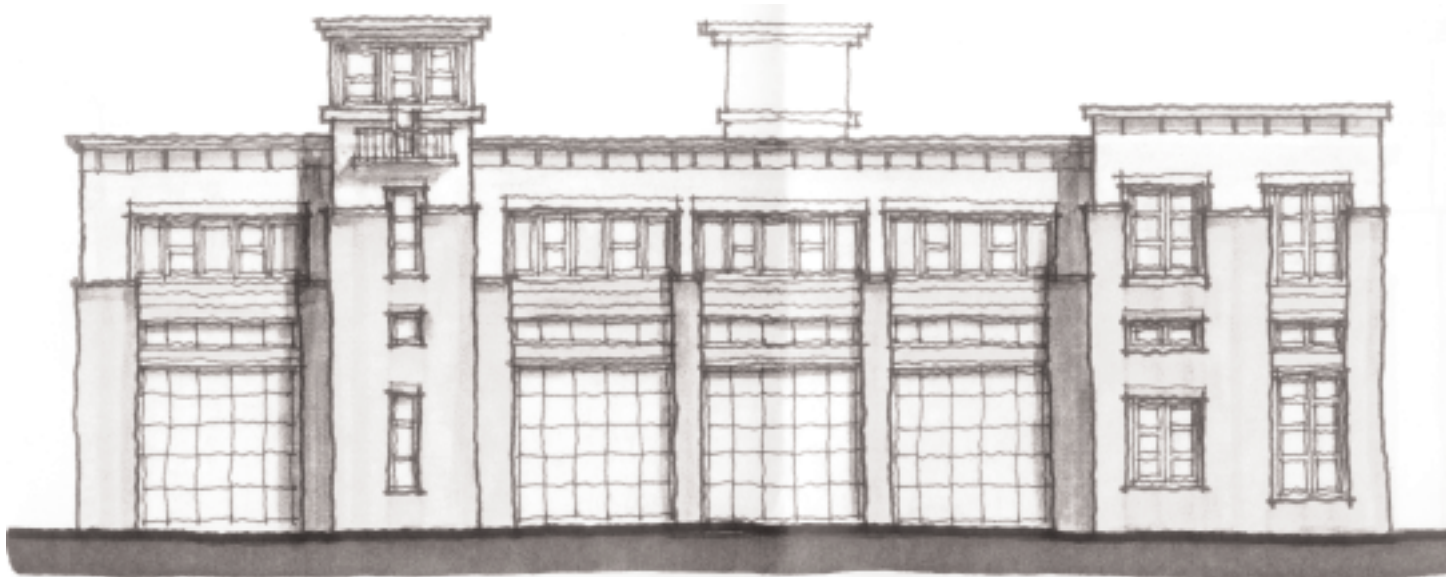
The Fire Stations Building Committee has been stymied by the lack of available land in Belmont, but some nearby towns are using fire services beyond their borders. After an unsuccessful override last spring, Lexington closed its East

Lexington fire station, and has been relying on “mutual aid” for some emergencies – or, in other words, fire trucks from Arlington and other neighboring towns. Arlington's Park Circle fire station is 3/10 of a mile from Belmont's border on Park Avenue. A regional approach to fire station planning might allow towns more flexibility, and more space to put fire stations away from crowded intersections, vital businesses, and unlucky pedestrians. Still, Route 2, like the RR tracks, limits the ways trucks can get from one side to another.

The Headquarters: A New Start for Trapelo Road

After years of watching cars rush by shuttered businesses and empty lots, local residents are looking forward to seeing a new fire headquarters on Trapelo Road. Although there will be a traffic light in front of the Trapelo Road station, traffic delays should be minimal, because there will be space for trucks to turn around in the back of the station, not in the street.

At a December 15 meeting, local residents strongly supported a distinctive, traditional brick building for the 297 Trapelo Road Fire Headquarters. The hope is that the new fire station will influence future



Artist's rendering of the current design for the proposed 297 Trapelo Road Fire Headquarters, as seen from Trapelo Road. Drawing by Donham & Sweeney Architects.

development near the site, and make that stretch of Trapelo Road less of a wasteland. One participant summed up local feeling, saying “This is a key building [on Trapelo Road] It should look good.”

In response residents' concerns that the initial design of light-colored stone facing looked like a car dealership and a warehouse, Donham redesigned the building to look more like a firehouse. It now features brick facing, detailed windows, and a 50 foot tower where hoses will be hung up to dry has been brought to the front of the building. The department's 20-foot by 30-foot training room is outside the department's lockdown area and may be available for community use.

Donham is also keeping track of energy conservation and the total life cycle of materials in the stations. “We're looking at renewable materials, comparing linoleum vs. vinyl flooring, and night recycling of air – taking in cooler air at night to use to cool the building during the day,” said Donham. The station will have a white roof to reflect sunlight, avoiding the “heat island” effect that stifles urban settings in the summer. Although most New England residents spend their time worrying about how to keep their houses warm, the cost of electricity to cool a building far outstrips the cost of gas to heat it, so planning roofs to cool the place makes fiscal sense.

Donham also pointed out that the new fire station will be re-using an urban site, instead of building on undeveloped land. The design will also help Belmont's flooding woes in a minor way. The Trapelo Road site, home to the former Volkswagen dealership, is entirely paved. The new fire station design calls for 8% of the of the land to be permeable surfaces – chiefly shrubs and decorative plantings.

For More Information:

Donham & Sweeney Architects, the firm that is designing both stations, has a portfolio of other fire stations they have built at http://www.donhamandsweeney.com/portfolio_civic_fire_1.html

The Fire Station Building Committee's web site is http://www.town.belmont.ma.us/Public_Documents/BelmontMA_BComm/fsbc/index

Metrofire is the name for the association of 34 Boston area fire departments (including Belmont's)

that provide mutual aid. For more information, see <http://www.massmetrofire.org/>

Meg Muckenhoupt is the editor of the Belmont Citizens Forum Newsletter

Letters

Trapelo Road Should Have Traffic Calming

To the editor:

While I feel flattered that I, not a resident of Belmont, got cited in Meg Muckenhoupt's article in the November 2003 Belmont Citizens Forum, I am a little disappointed that it expressed only a negative (trucks blocking Huron Ave. bike lanes) rather than many positive things I said at the Nov. 4th workshop. For example, I also said that the Huron Ave. bike lanes encourage less erratic travel patterns by motorists and slow them down a bit. I would add that it is not good journalism to cite second-hand opinions, such as the Belmont Car Wash owner's assertion that a realtor on Huron Ave. says business is down since the street improvements were made. As it is, that statement is illogical, and all evidence provided by many, many "traffic calmed" streets in the country proclaim that slower speeds encourage, not discourage, abutting businesses; could it be that business is down because of the recent recession in Massachusetts?

Having said the above, I think it is excellent that Belmont (which I live next door to) has a lively citizens' newsletter un beholden to the chamber of commerce or town government. The article on Trapelo Road is quite thorough and generally accurate, and much more informative than the TAB newspapers. It makes me sad that I might not live to see the road improvements accomplished!

Ted Hamann
Cambridge, MA

Talks Planned for McLean Sewer Suit

By Sue Bass

Northland Residential Corp., developer of 121 town houses at McLean, and the Belmont Citizens Forum have agreed to try to negotiate a settlement of an appeal filed by 16 Belmont residents challenging Northland's state sewer-connection permits. An initial meeting was scheduled for January 14.

Issues raised by the appellants include not only the condition of Belmont's sanitary sewer system but also historic preservation and traffic mitigation. Northland argues that none of these issues are relevant to the permit.

The appellants argue that Northland's plan to demolish four historic cottages is an issue because no state agency may issue any permit that will have an adverse effect on property listed in the state Register of Historic Places unless the developer has adopted

all prudent and feasible means to eliminate, minimize, or mitigate the adverse effects.

Traffic is an issue because the appeal challenges the Department of Environmental Protection's Section 61 findings under the Massachusetts Environmental Policy Act (MEPA). The DEP's Section 61 findings, issued as part of the sewer permit, do not discuss traffic mitigation. The appellants claim that the findings should have required traffic mitigation. The appellants argue that Robert Durand, the former Secretary of Environmental Affairs, erred in July 2002 when he ruled that the McLean development was exempt from state traffic regulation because state funding was no longer being considered to aid the project. In fact, a state Public Works Economic Development grant of \$500,000 is still being sought for the Trapelo Road/Pleasant Street intersection.

The town's sewers are in dreadful shape. Northland has agreed to a one-time payment of about \$250,000 toward that work; the appellants question whether that is enough. Belmont received a "308" letter - similar to a subpoena - from the federal Environmental Protection Agency under the Clean Water Act in October 1998, and the town has been providing a stream of information on the extent of Belmont's problems since then. In January 2000, the town received a Notice of Noncompliance and Determination of Significant Contributor of Pollution to the Waters of the Commonwealth from the state Department of Environmental Protection. Bids have just been requested for the first step of a repair program that town engineer Tom Gatzunis says will cost \$1 million a year for the foreseeable future.

The sewer appeal is being heard by an administrative law judge of the Massachusetts Department of Environmental Protection. While encouraging settlement talks, the DEP administrative law judge, James Rooney, set a schedule for the sewer appeal that provides for briefs on the various legal issues in February, with a decision on the legal questions likely in mid-March. After that, a hearing on factual issues is planned for May 10 through 13.

— Sue Bass

Sue Bass is Vice President of the Belmont Citizens Forum, and a Precinct 3 Town Meeting Member.



Uplands, continued from page 1

The area is an increasingly important regional resource for teachers who want to provide urban school students the opportunity to study the natural world.”

* “The Uplands parcel is a significant part of the Alewife Green Corridor [meaning the Greenway – ed.] and Reservation and is a resource not just for Belmont, but for the whole region, including Arlington, Cambridge, and Somerville.” The value of the land to the region as diverse and productive open space will benefit many generations.

The commission recognizes that preservation will be difficult and noted, “If complete preservation is not possible and development is to take place, the development must take place with certain conditions.” In an appendix, the commission recommends 34 conditions for inclusion in any zoning changes or agreements for the residential use of the Uplands land. These conditions specify placement and size of buildings, protections for wetlands and wildlife habitat, placement of storm water drains and

"We will be an environmentally responsible community and conserve our natural habitats."

From Vision Statement, Town of Belmont

utilities, and limits on buildings and activities in the buffer zone between the development and the surrounding wetlands.

O’Neill Properties, the Pennsylvania developer responsible for the Watertown Arsenal redevelopment, owns about 15 acres at Alewife in Belmont and Cambridge. Part of the Belmont land and virtually all of the land in Cambridge are wetlands, but a small portion – five to seven acres, depending on the definition – is upland, with a maximum height of 27 feet above sea level. O’Neill persuaded Town Meeting to rezone the Belmont Uplands in 2002 to allow construction of 245,000 square feet of R&D or office space plus a garage. Shortly afterward, the office market collapsed, and O’Neill began a campaign for another rezoning, this time to permit a 250-unit condominium apartment complex of 400,000 square feet plus a 500-car parking garage.

The commission recommended that the devel-

oper help to fund significant repairs to the town’s sewage system and commented, “...sewage from any Uplands development would travel through Belmont’s Little Pond neighborhood. This neighborhood is on the Town’s list for sewer work as it is experiencing serious sewer failures at the current time. Without a complete rebuild 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 Winn Brook residents.”

In response, Epsilon Associates, the environmental consultant for O’Neill Properties, filed a 15-page letter noting that the Alewife Reservation and part of the O’Neill parcel would remain available for wildlife, saying that no threatened species inhabit the Uplands site, and disputing other ConCom statements. (Both the ConCom and the Epsilon reports are available on line at http://www.town.belmont.ma.us/Public_Documents/BelmontMA_Documents/Uplandsindex/MFnews.)

The Planning Board and the Selectmen are continuing their deliberations on how Belmont should respond to O’Neill Properties’ proposal that the town rezone the Uplands to permit a 250-unit condominium apartment complex of 400,000 square feet plus a 500 car parking garage. The Planning Board welcomes written comments before its next meeting on **January 27**, preferably at least a few days in advance. The board requested that comments address the issue it must decide – whether to recommend a change in zoning from R&D to residential – rather than focusing on wildlife and the silver maple forest.

Meanwhile, O’Neill is being encouraged by several groups to consider moving its development out of the silver maple forest. The Massachusetts Department of Conservation and Recreation, which now oversees the Alewife Reservation and other land formerly held by the Metropolitan District Commission, has indicated a willingness to consider swapping the site of the former MDC ice rink for the Uplands.

The issue seems likely to come before Belmont Town Meeting in April.

Jim Graves is president of the Belmont Citizens Forum and a Precinct 2 Town Meeting Member. Sue Bass contributed to this article

Mystic River Watershed Association Pursues

by Nancy Hammett

Editor's note: This is the first in a series of articles about local organizations that support the Belmont Citizens Forum's goals, including preserving natural and historical resources, limiting traffic growth, and enhancing pedestrian safety

The Mystic River Watershed Association ("MyRWA" for short) has a lot of territory to cover! A watershed is all the land from which water drains to a common point – in our case, the Mystic River ultimately drains to Boston Harbor. The watershed starts up in Reading and ends in the port communities of Everett, East Boston, Chelsea, and Charlestown. Most of Belmont is in the watershed, because Wellington Brook eventually drains into the Mystic River. Altogether, the watershed covers 76 square miles and includes 21 communities.

MyRWA's goal is to protect and restore the



natural resources of the watershed, including water quality, wildlife habitat, and water-related open space. We want the Mystic to meet standards for "fishable/swimmable" rivers eventually. This is a tall order for a watershed that has suffered much in the past from pollution and neglect. The Mystic is the most urbanized watershed in the state, and has received little attention and few resources compared to the Charles River and the Boston Harbor.

MyRWA is working hard to change that situation. We are particularly concerned about serious environmental justice problems in our watershed, where communities with low-income, immigrant, and minority populations have borne more than their share of pollution and had less than their share of attractive open space.

The Mystic is blessed with many local groups whose work helps protect our natural resources. A number of these groups are represented on our Board of Directors, including the Belmont Citizens Forum, and most of MyRWA's work involves collaborations with various local groups. In addition, MyRWA works extensively with Tufts University faculty, staff and students through the Mystic Watershed Collaborative. Our work with Tufts and with experts on our volunteer committees ensures that our positions are based on sound science and research.

MyRWA was founded 30 years ago as an all-volunteer organization. A state grant helped MyRWA hire its first employee. We now have 3 full-time staff members – I serve as Executive Director, Janet Kovner is our Stewardship and Outreach Director, and Julie Horowitz is our Director of our Mystic Monitoring Network. The following are just some examples of MyRWA's activities:

Water Quality Monitoring: We have been monitoring water quality in Winn Brook, Alewife Brook, and other water bodies since 2000, with the help of our very dedicated volunteers. We share our monitoring results with property owners, government officials, and the public, to bring attention to sources of pollution and get them corrected.

Stewardship: We take a variety of direct steps to improve the watershed. For example, each spring

Justice From Wellington Brook to the Sea

and fall, hundreds of volunteers remove tons of trash from the rivers and ponds, including shopping carts, tires, construction debris, and even a kitchen sink! We help coordinate and publicize the cleanups. MyRWA is also working with Arlington, Belmont, and Cambridge officials, and with other local groups and residents on the Tricommunity Flooding Workgroup, a group investigating causes of and potential solutions to the severe flooding that occurs in the Alewife area.

Outreach and Education: We co-sponsored our annual Mystic Herring Run Festival, which attracts hundreds of people to celebrate the return of spawning alewife and blueback herring, run a 5K race, and enjoy the waterfront. Each year we present a Winter Speaker Series, free and open to all. Topics this year include the history and resources of the Middlesex Fells, homeowner actions to reduce stormwater pollution, invasive plant species, pollution and water quality in the Mystic Lakes, and a historic scandal about Audubon's painting of the Golden Eagle – something for everyone! Check our website for details.

Research and Analysis: MyRWA completed three major reports this year -- a report on open space priorities for the watershed (funded by EPA), the Mystic River Watershed Assessment and Action Plan (funded by EOE), and the Aberjona Shoreline Survey. Last summer, we conducted a survey of recreational uses along the Mystic River to document who uses the river, whether they fish, swim, or boat, and whether residents are aware of existing water quality problems.

Advocacy: The state is considering whether to downgrade standards for the Lower Mystic River and Alewife Brook to allow for sewage discharges from Combined Sewer Overflows (CSOs) during rainstorms. MyRWA has been active in the debate about this issue. We also monitor and submit comments on important development proposals in the watershed. For example, we have been active in the debate about the O'Neill Belmont Uplands development because of potential impacts on water quality, habitat, open space, and flooding. We hope to promote regional



Junction Brook

growth planning for the Alewife area this year.

Tufts University's University College of Citizenship and Public Service recently offered MyRWA a generous challenge grant if we can substantially increase our membership and raise \$15,000 in unrestricted funds by March 20, 2004. We are very grateful for this offer and would like to invite members of the Belmont Citizens Forum to join MyRWA and help us meet this challenge. You can join on our website (www.mysticriver.org) or call us at 781-316-3438.

Nancy Hammett is Executive Director of the Mystic River Watershed Association

Belmont Residents Learn to Live with Coyotes

by Meg Muckenhoupt

Belmont has plenty of coyotes, and they're here to stay. The question is how to live with them. Town Animal Control Officer John Maguranis guesses there are three active coyote families in Belmont, with anywhere from four to twelve animals in a family. "I get sightings almost every day," said Maguranis. If you haven't seen them yet, you soon will. The coyotes "move around a lot" as they roam in search of food, Maguranis said, and could appear in any neighborhood.

Coyotes have been sighted in Belmont since 1989. "Belmont is the perfect place for these animals. There are lots of places to hide and [plenty of] water to drink," Maguranis said. In 2002 Maguranis saw a few coyotes in Rock Meadow, but had no reports from concerned residents. "Now they're everywhere," he said. At least fifteen cats were killed by coyotes in 2003, judging by their wounds, and Maguranis has "stacks of missing cat reports."

Of course, coyotes do not live on cats alone. One positive effect of having coyotes in town is that they eat the raccoons, skunks, and other small mammals that carry rabies. In the past ten years, there has been just one case of rabies in coyotes in Massachusetts, but more than 1500 cases in raccoons. Maguranis says he also hasn't been seeing

many foxes since the coyotes started making public appearances.

Belmont's coyotes are Eastern coyotes. They are larger than their smaller, rangier, Western kin and sometimes reach 90 pounds in upstate New York. In Belmont, adults tend to be in the 40 pound range. They look a bit like wolves.

Unfortunately, they also look a lot like dogs. When kind people leave out food for these "dogs," the coyotes get into trouble. In the wild, coyotes are shy, but coyotes who find food near people's homes become bold and can be aggressive towards people. Maguranis met a 45-pound female in Belmont last year. "I got within 15 feet of her," said Maguranis. "She lay down, and I got pictures... As I watched, I thought that she's too comfortable this close to me. She's going to end up getting shot. Someday, she's going to get too close to a kid, or bite someone. I think she's being fed by someone."

Like skunks, raccoons, and opossums before them, coyotes have been very successful at adapting to urban environments. Maguranis has been asked repeatedly what he is going to "do" about the coyotes. "I'm not going to jump the gun," said Maguranis. If a coyote becomes a problem, there are limited options. Leg-hold traps were banned in Massachusetts in 1997, and coyotes are "too smart"



Coyote or Dog?

You can tell a coyote from a dog by looking at its tail: a coyote's tail is bushy, like a wolf's, and always hangs straight down between its legs.

This coyote was photographed by Animal Control Officer John Maguranis at noon on October 30, 2003 across from the Highland Farms entrance to Audubon (Somerset Street).

to go into box traps, Maguranis said. "If a coyote bites someone, or seems sick, I will not hesitate to shoot it, but I won't anticipate problems," he added. In any case, if all of Belmont's coyotes suddenly died, coyotes in neighboring towns would rush in to claim more territory. "We'd attract even more coyotes," said Maguranis. "We've just got to deal with them."

Coyote Safety Tips

- * Do not feed coyotes.
- * Keep your cats inside, especially during low-light hours.
- * Clean up your back yard. The idea is to eliminate spots where a coyote could hide and ambush prey. Trim shrubs up a foot or two from the ground.
- * Clean up your bird feeder. Coyotes don't eat sunflower seeds, but mice, chipmunks, and squirrels do, and coyotes love to eat them.
- * If a coyote comes close to you, scare it away. Spray it with a hose, honk your horn, wave your hands, and scream. Do not try to scare away dogs this way; they will turn and attack.
- * Keep dogs on leashes when you walk through Rock Meadow.

Meg Muckenhoupt is the Editor of the Belmont Citizens Forum Newsletter.



Environmental Events, *continued from page 2*

Saturday, February 21, 10:30am -12:30pm: **Wild Animals of Greater Boston.** Although the Greater Boston area may seem tame, there are a surprising number of unusual animals living nearby. John Maguranis, Belmont's Animal Control Officer, will share his knowledge of local animals including coyote, fox, mink, wild turkey, and others. After a talk, participants will look for animal signs on Habitat grounds; if there is snow on the ground, you will learn how to identify animal tracks. There is a \$12 fee for Mass Audubon members and a \$15 fee for non-members. Register by calling (617) 489-5050. Meet at the Habitat Wildlife Sanctuary, 10 Juniper Road, Belmont.

Saturday, February 21, 2-4pm: **Alewife Ecology walk with Stew Sanders.** Stew Sanders, the author of the Alewife Ecology Guide, will lead a tour of the area's natural wonders. Rain date the next afternoon. Meet at White Hen Pantry, Brighton Street-Blanchard Road, Cambridge-Belmont line. Free. Sponsored by the Friends of the Alewife Reservation. For more information, contact Ellen Mass, (617) 290-4864 or (617) 547-1944

Friday, February 27, 7 – 9pm: **Amphibians, Reptiles, and Crustaceans! Oh My!** Belmont has 5 vernal pools. In March, they begin to writhe with new life. Brian Butler, herpetologist and expert in ecological restoration of disturbed landscapes, will detail the kinds of creatures that inhabit vernal pools to Waltham (and Belmont) for an exciting and revealing evening. Free. Come to the Government Center Auditorium, 119 School Street, Waltham [at the corner of School and Lexington Streets], one block north of City Hall. For more information contact memberlink@walthamlandtrust.org or call (781) 899-2844.

— *Stacey Fabiano, with contributions by Meg Muckenhoupt*

Chapter 40b, continued from page 16

These two local boards can only administer state requirements: local wetlands bylaws or wastewater disposal standards that are more stringent than state standards may be waived by the ZBA.

The state Housing Appeals Committee (HAC) hears appeals from denials or conditional approvals of comprehensive permits. The HAC ensures that local comprehensive permit decisions are carrying out the Act's mandate – to promote affordable housing without violating local governments' planning goals. The more affordable housing a community has, the more HAC will be guided by a town's planning goals; the less affordable housing a community has, the more HAC will favor developers.

The 10% standard – and Belmont's 2.64%

The Act encourages communities to have ten percent of their housing available to low and moderate-income households. Communities that do not meet this standard have a strong burden of demonstrating to HAC why they are denying or conditionally approving a comprehensive permit. If a community meets the 10% standard the ZBA may deny comprehensive permits, and developers have no right to appeal to HAC.

Only 2.64% of Belmont's housing qualifies towards meeting the 10% affordability standard. Two criteria must be met for a unit to count toward the 10% goal. First, dwelling units must be occupied by and affordable to households earning below 80%



of the Boston area median income. This means that a family of four would have to earn less than \$62,650. Second, the unit must be restricted to ensure that the housing remains affordable for at least 30 years. Most communities require that the units stay affordable in perpetuity. Other housing may have a low purchase prices, or low rent, such as an apartment where a landlord does not raise the rent for a responsible, long-term tenant. However, unless that property has legal restrictions that restrict the rent and the eligibility requirements, the state does not consider it affordable.

Developing affordable rental units helps towns reach their 40B goals quickly. All rental units in a comprehensive permit project “count” toward the 10% affordable housing goal. Only the “affordable” units in a homeownership project count.

How 40B is changing

Comprehensive permits have changed dramatically in the last few years. Because of new regulations, guidelines and practices, communities have far more control over the review process and the 40B world is more difficult and more uncertain for developers. Recent state regulatory changes include the following protections for communities:

***Recent progress** A ZBA may deny a comprehensive permit if a community has approved, during the twelve months prior to the date of the comprehensive permit application, affordable housing units that constitute at least 2% of its housing stock. For Belmont, this means approximately 200 units must count.

***Related applications** A ZBA may deny a comprehensive permit if 12 months have not elapsed between the comprehensive permit application and the date of filing or withdrawal of, or a decision on, an application for zoning or subdivision approval or another form of construction approval for the same land. In other words, a developer who has been turned down has to wait to file a 40B permit.

***Planned Production** If a municipality has adopted an affordable housing plan, which provides for an increase in its affordable housing units by at least $\frac{3}{4}$ of 1% each year until the number reaches 10% of

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total units, a Board’s decision to deny a comprehensive permit will be upheld.

Very recently, Mass Housing (the agency where most developers go to to seek the required preliminary approval of a 40B application) has established a guideline for deciding whether it will issue a site approval letter for homeownership projects: “A project shall have a density of no more than the greater of **four** times existing zoning or **8** dwelling units per acre.”

What does 40B mean for The Uplands?

There are many points of view on how and whether the Uplands should be developed. In contrast to the zoning currently proposed for the Uplands, 40B would be a better alternative for the following reasons:

The Uplands zoning proposes 250 homeownership units. A homeownership 40B would be limited to approximately 120 units.

The proposed Uplands zoning gives the developer the right to build the 250 dwelling units, subject to the imposition of development conditions by the Planning Board. 40B allows a developer to pro-

pose a 120 unit homeownership project and possibly (subject to state scrutiny) a 300 unit rental project, but these numbers are only beginning points for negotiation between the ZBA and the developer.

A successful appeal from the proposed Uplands zoning would be difficult. The appeal process for a 40B project is lengthy and costly. This means that a savvy developer has every incentive to work with the community to agree upon a project that makes sense for the community.

Edy Netter is a Belmont resident and a land use attorney who represents communities and developers on 40B projects and serves as a 40B mediator. She is also a Precinct 2 Town Meeting Member, a board member of the Belmont Land Trust and a Trustee of the Judith K. Record Fund. Meg Muckenhoupt contributed to this article.



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People Are Asking

What is Chapter 40B, and what could it do to the Uplands??

By Edith Netter, Esq

Chapter 40B (also known as the Massachusetts Anti-Snob Zoning Act) encourages low and moderate-income housing. The act is designed to benefit middle-income families – people who earn their living as school teachers, town employees, retail workers, and the like. Since the early 1970s, Chapter 40B developments have created 18,000 units of affordable housing.

The Act promotes affordable housing by allowing developers to build more housing units per acre than allowed by local regulations. The Act also streamlines the local permitting process through comprehensive permits. Finally, the Act allows for

appeals from local comprehensive permit decisions by developers of mixed-income housing.

How Chapter 40B Works

To apply for a comprehensive permit, a developer must be a public agency, a nonprofit organization, or a “limited dividend organization” - that is, an organization that has agreed to limit its profits from the development. The developer also has to be eligible for either funding or technical assistance from public agencies like the Department of Housing and Community Development. These agencies require that twenty-five percent of units in a proposed project be affordable.

A local Zoning Board of Appeals (ZBA) reviews and make decisions (approve, approve with conditions, or deny) on comprehensive permits. The other local boards that may rule on a comprehensive permit are the Conservation Commission, if there are wetlands on the site, and the board of health.

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