



## Clay Pit Pond's Setting Belies Toxic Past

By Jenny Kim

At a distance, Belmont's Clay Pit Pond appears as a picturesque gem, with a shimmering surface and beautiful green surroundings. It is a popular place for bird watching and yearbook photo shoots. It was once even dubbed "Swan Lake" for its mute swans.

Yet on Clay Pit Pond's shore stands a warning sign: "PUBLIC HEALTH ADVISORY."

Its waters are notorious. Mia Lippey and Will Staub, both seniors at Belmont High School, said that they heard that a three-eyed flounder had been found washed up on Clay Pit's shore. Several other students claimed that the pond is radioactive.

Is the pond plagued merely by rumors, or is there something there?

### A Toxic History

Starting in 1888, the Parry Brothers Company and the New England Brick Company dug clay at this pit, which had some of the highest quality clay in the region. Eventually the clay ran out. By 1926, the pit was abandoned and filled with water from Wellington Brook, and the company sold the land surrounding their clay pit to the town.

From the 1930's through 1959, the land next to Clay Pit Pond where the high school sits became the town dump. During those years, there were reports of a thick blanket of noxious smoke covering the area due to waste incineration.

Legend has it that an abandoned steam shovel, whole and intact, remains at the floor of the pond.

Despite the dump, several efforts were made to renovate land for public use. In 1928, the firm of Underwood and Caldwell laid out the first plan for a "Clay Pit Park." Works Progress Administration (WPA) became involved during the Depression, and in 1938 WPA funds kick-started the grading and tree planting at the site.

Tons of fill from Belmont's street building were dumped into the Pond to make the banks slope gently. During World War II, Belmont's Victory Gardens were located near Clay Pit Pond.



Warning sign at Clay Pit Pond.

JENNY KIM

After World War II the town closed the landfill in stages and covered and graded the site.

In 1959, another landfill was established on Concord Avenue near the Lexington line, and the Clay Pit Pond dump was closed. More land around the pond was converted to parkland and playing fields, but there were problems with building on a former landfill. The January 12, 1967 issue of the *Belmont Citizen* reported:

“The converting of one Section into a practice football field adjoining the Concord

Avenue Playground, however, turned out to be something less than ‘satisfactory’ last Fall, however, when nails and pieces of glass working up from the fill through inadequate turf became a hazard to High School players. Use of the field for that purpose was discontinued and the town is currently faced with a rebuilding problem.”

In 1970, Belmont High School was built behind the pond. The Ruth Ippen Tree Walk, named for a Belmont resident active in town beautification and conservation, was dedicated at Clay Pit Park in 1987. By this time Clay Pit Pond became the scenic hot spot it is today.

## Litter

Today, Clay Pit Pond plays a crucial role in Belmont’s storm drainage system. It collects all the water from the Wellington Brook watershed, which drains Waverley Square, Belmont Center, and Cushing Square.

But this also leads to constant accumulation of litter. Debris has accumulated at Clay Pit Pond since its brickyard days. In 2001, the Belmont Citizen Forum *Newsletter* reported “large chunks of debris” left on the shore due to spring floods (“Earth Day Volunteers Tidy Up Town,” May/June 2001). There were also reports of “pens, straws, bottle caps and rings, chunks of Styrofoam”—the “usual litter” left by high school students and other town residents. However, most of the trash around Clay Pit Pond comes from the surrounding streets; all storm drains in this area drain into Clay Pit Pond.

## Rats

Since the summer of 1995 there has been what former superintendent Peter Holland described as a “serious rat problem” at the edges of the pond, high school grounds, and neighboring areas. Residents reported rats “in broad daylight in front of the high school,” in the trees near the flagpole and on the perimeter of the pond (stated in Holland’s letter to the Massachusetts Department of Health). Concerned parents pressed the Belmont Conservation Commission for immediate action. They also sent their complaints to the superintendent, who contacted the Massachusetts Department of Health. The official rodent survey of Clay Pit Pond identified several causes

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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. Our *Newsletter* is published six times a year, in 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 [info@belmontcitizensforum.org](mailto:info@belmontcitizensforum.org).

of the rodent invasion, which generally had to do with food litter and improper canine feces disposal. In mid-November I saw a rat that had been run over along the Concord Avenue crosswalk near the pond. This recent sighting reveals that the rat issue remains unsolved.

## Chemical Pollution

The mysterious contents of Clay Pit's water are a topic of debate among Belmont residents, particularly high school students. When students are asked if they would swim in the pond, the most popular response is, "No way! It's toxic!"

The concern over Clay Pit's safety is nothing new. A study titled "Analysis of Clay Pit Pond" written by Belmont High School students in 1978 predicted "that the fish will not last too long because it is getting more and more polluted every day." The students reported finding one dead fish in the pond and assumed that "there are most likely others like that."

In 1995, Belmont's Conservation Commission asked the state to test the fish in Clay Pit Pond. Results showed unacceptably high levels of chlordane. Chlordane is a pesticide that decomposes slowly in the environment and accumulates in animals' bodies. It is associated with a variety of cancers. In response to the high amounts detected, the Massachusetts Public Health Department issued a public warning: "Do not eat fish caught in this pond. They may be poisoned with chemicals."

The chlordane contamination appears to be concentrated in the sediments and fish tissue. Because swimming is prohibited and the state has issued a fishing advisory, the chlordane is not an imminent public health threat. Thus, Clay

Pit has not been a priority for the Mystic River Watershed Association (MyRWA) or the Town.

## Biological Contamination

Wellington Brook deposits various kinds of germs into Clay Pit Pond, including fecal coliform bacteria from sewage leakage into the brook and dog feces. MyRWA's sampling normally finds high *E. coli* levels in the brook at the inflow to Clay Pit Pond. In 2010, MyRWA reported 129,970 *E. coli* per 100 milliliters of water in Wellington Brook before it reaches Clay Pit Pond. The Massachusetts limit for water used for boating is 1,260 *E. coli* per 100 milliliters.

However, MyRWA found that the bacteria levels dropped significantly in the water leaving Clay Pit Pond. Less than a mile downstream of the pond, the water in Wellington Brook meets state standards for swimming. Even inside the pond, bacteria levels dramatically, because most *E. coli* bacteria die in the pond. The *E. coli* levels are low enough that Clay Pit Pond meets state requirements for swimming near the eastern end (See "Wellington Brook Bacteria Exceed State Limits," Belmont Citizens Forum *Newsletter*, November/December 2010.)



Waterfowl at Clay Pit Pond.



Great blue heron at Clay Pit Pond.

## Oil Leak

On December 12th, 2003, heating oil was discovered leaking into Clay Pit Pond from the Wellington Brook. The oil originated from a 10,000-gallon underground storage tank system at the Burbank Elementary School. Through the public storm drain system, the oil traveled under the school's driveway to School Street, into the Wellington Brook concrete culvert, and into Clay Pit Pond. The Town estimated that out of those 10,000 gallons, about 1,000 gallons entered the pond.

The type of heating oil used at the Burbank Elementary school, number 4 oil, is not likely to stick to animals, but it is poisonous. According to the EPA, number 4 oil persists in the environment. If ingested by organisms, it could cause stress, poisoning, and weakened immune systems, and interfere with breeding. Fibrous plants and grasses easily absorb oil, which damages them.

The Town asserts that there was no impact downstream of Clay Pit since oil floats on water and the pond has a submerged outlet.

The Town reported that all floating oil had been removed from the pond, as well as the petroleum-impacted soils and vegetation along

the perimeter. There were "no other environmental impacts" to the resident animals.

## Rumors and Wildlife

People generally agree that there is something unpleasant under Clay Pit Pond's surface. In the late 20th century, weekend fishing derbies at the pond were a popular springtime event for families. Even in the early 2000s, kids in the "Pre-Teen" summer camp at BHS swam there as a special recreational activity. Today, students avoid standing too close to the pond.

"It definitely smells bad when it rains," said Sol Park, a high school senior, who regularly jogs around the pond. "I don't know what would happen if I fell in it. I heard I would grow an extra leg. But it won't kill me."

Yet this suspicion doesn't seem to stop locals from taking their morning strolls around the pond. It remains a popular spot to take pets and to exercise. There are geese, ducks, fish, even eels living in the pond, and the green space and trees attract photographers and artists.

While the pond's good looks may compensate for all that it contains, they cannot completely conceal the hazards involved.

"I would probably swim in it," said Staub, "just to tell people that I did it. But it wouldn't be like 'Oh, I swam in that pond.' It would be like, 'Dude, I swam in that nasty pond.'"

Jenny Kim is a junior at Belmont High School and an intern for the Belmont Citizens Forum.



# ConCom's Uplands Struggles Continue

## Courts, O'Neill Rep Challenge Commission's Positions

By Anne-Marie Lambert

The battle continues. In December, a Massachusetts judge issued a final ruling agreeing with the Department of Environmental Protection (DEP) that Uplands developer O'Neill Properties complied with Massachusetts Stormwater Management Standard #3. The Belmont Conservation Commission (BCC) started working to appeal the ruling immediately. The appeal covers both the judge's decision on Stormwater Management Standard #3 and two other motions previously denied.

One motion concerned Stormwater Management Standard #2. That standard calls for no rise in flooding in local waterways due to development. The appellants estimate that the water in Little Pond will rise one quarter inch if the proposed Uplands development is built, violating the standard. The other motion questions discrepancies between O'Neill's assumptions about stormwater levels prior to commercial versus residential development

For the first time, the Belmont Conservation Commission's submission to the court was signed by Belmont's Town Counsel, George Hall, not volunteer Conservation Commissioner Tino Lichauco. This change is a sign of Belmont's increasing commitment to protecting the Uplands' wetlands.

On January 16, a three-judge panel in the Massachusetts Court of Appeals will hear an appeal of a second court case by intervenors led by the Coalition to Protect the Belmont Uplands. This appeal is based on alleged errors in the legal process in a case involving both stormwater management and wildlife habitat restoration standards.

### Land Preservation

The prospects for negotiating a purchase for the purpose of land conservation remain dim. Jim Savard from O'Neill Properties group visited the BCC during their December meeting and offered \$200,000 to them and to the Coalition to Protect the Belmont Uplands in exchange for their dropping all legal appeals. This amount

was less than the \$300,000 offered by Brian O'Neill himself in May, and appeared to have less stringent conditions on using the money for scholarships for needy students and/or tree planting.

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As was the case in May, the Belmont Conservation Commission stated that it was not in a position to negotiate on whether to enforce the Wetlands Protection Act. The Commission refused to discuss the offer and asked Savard if O'Neill Properties would consider reducing the scale of the proposed development. Savard refused to discuss resizing

Meanwhile, on January 9, 2013, the Belmont Community Preservation Act Committee approved \$959,000 for projects to be voted at Town Meeting in the spring. This decision leaves a balance of \$1,033,000 in undesignated funds in Belmont's Community Preservation Act account for future projects, which could include purchasing land at the Uplands.

### The Forest

Winter walks along Little River continue to reveal Uplands' rich wildlife habitat. Red-tailed hawks, coyotes, and fox are attracted by the rich population of mice, voles, other prey. A pair of great blue herons, ducks, mute swan, robins, and a number of deer reside in the area.

Anne-Marie Lambert is a Director of the Belmont Citizens Forum.

# Do You Know Where Your Sewers Go?

By Sumner Brown

I brush my teeth, rinse, and turn the water off. Everything I want to disappear drains down the sink and is gone. I am done and I am grateful that I can forget about it. Occasionally people are not so lucky. Sometimes people need to know what goes on beneath the streets. There is a lot of stuff down there: water lines, sewer lines, storm drain lines, gas lines, electric lines, telephone lines, cable TV lines.

I am interested in sewer pipes. I am going to take you on a subterranean tour between my bathroom and Deer Island in Boston Harbor.

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On its journey out of Belmont, my wastewater passes through 90 feet of my lateral and then about two miles of town sewer pipes.

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The wastewater from my teeth brushing went down pipes to my basement. There, the water flowed horizontally under the basement floor to an outside underground pipe called a lateral. The lateral connects an individual building to a sewer line under the street. It's "my" lateral, because it's still on my property, though outside my house. When the outside ground is wet, the chances are good that groundwater leaks into the lateral, joining my wastewater.

Most Belmont laterals are ceramic pipes, called clay pipes. They're about four inches in diameter with joints every few feet. The cement joints are not as stable as the ceramic pipes. Typically roots get into sewers first through the joints, perhaps because the cement deteriorates, perhaps because the cementing was not carefully done. The ceramic pipes can and do crack as well. Tree roots getting into laterals can cause a crisis in your house. If this happens, the Belmont Department of Public Works will be your friend; they will unplug your sewer as a public service. Your alternative is to pay Roto-Rooter hundreds of dollars.

On its journey out of Belmont, my wastewater passes through 90 feet of my lateral and then about two miles of town sewer pipes. While

the lateral travel distance seems relatively insignificant, I suspect there may be more total miles of laterals than of sewer pipes (78 miles), because in much of Belmont the distance from the house to the center of the street, times the number of houses, is greater than the total distance between houses.

Laterals have probably not received as much attention as they should. In the last 15 years, Belmont has spent millions relining sewer pipes to reduce the inflow of water into old clay pipes and to stop sewage from leaking out into streams. There is frustratingly little improvement to show for our efforts. (See "Expensive Leaks Persist in Belmont Sewers," Belmont Citizens Forum *Newsletter*, November, 2009.)

Lack of attention to laterals could explain why our inflow has not been reduced as much as we expected. At a Massachusetts Water Resource Authority (MWRA) board meeting I attended last September, an MWRA board member suggested that laterals are a significant and under-recognized contributor to inflow.

The town of Norwood is attacking leaking laterals. They have relined all sewer pipes and laterals in one neighborhood with encouraging results, and are ready to do the same in a second neighborhood. The laterals are relined, much as many sewer pipes in Belmont have been relined, with cure-in-place technology so there is no need to dig in peoples' yards. (See "How do Sewers Get Relined?" Belmont Citizens Forum *Newsletter*, July 2007.) But the cost is considerable; Norwood is paying \$5,000 per house to line laterals.

On the way from my house to Deer Island, my lateral slopes downhill, as a lateral should, from the east side of Ross Road to the middle of Park Avenue. There my wastewater joins the wastewater from three neighbors' homes into a recently relined, eight-inch pipe that also slopes downhill. Laterals from four more neighbors join the flow before coming to a manhole 180 feet beyond my house. Another eight-inch line from two other houses also comes into this manhole. The combined flow goes to another manhole 140 feet farther downhill and turns left down Rutledge Road. At another manhole 110 feet

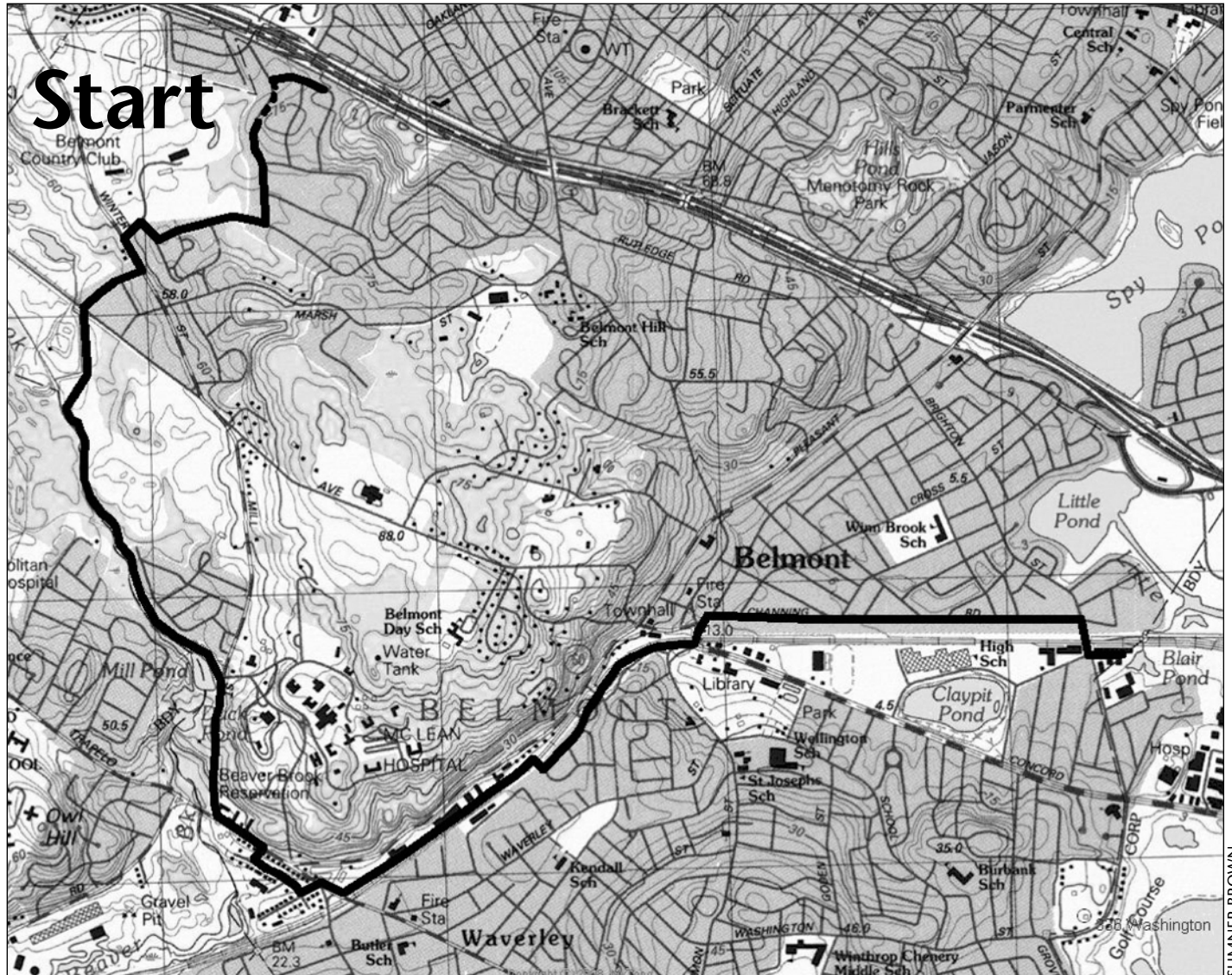
farther, that flow is joined by flow from about 35 more homes.

If you are curious about sewer line details in your neighborhood, see Ara Yogurtian, Resident Engineer at the Community Development Office. He will help you find maps that show streets, houses, and sewer lines anywhere in Belmont.

Continuing its journey more than a quarter mile down Rutledge Road, my wastewater turns right onto Clifton Street. This section of Clifton seems level, but rest assured, the sewer pipe tilts downhill. The flow continues down the steep part of Clifton. At Fletcher Road the pipe changes from eight-inch to ten-inch. At Pleasant Street the flow turns left and the pipe enlarges from ten inches to twelve. As the flow turns right down Winn Street, the pipe becomes fifteen inches. It turns left at Cross Street, then right on

Dean Street, where the pipe grows to eighteen inches. At Channing Road the flow bears left into a big 30-inch pipe.

From this point on something is strange. There are no more laterals adding flow to the 30-inch pipe on Channing Road. The recent modifications that spare Winn Brook homes from sewer overflows during severe storms moved laterals to a new, smaller line that can be isolated from the larger flow during severe storms. Our 30-inch line goes to the end of Channing and continues to Brighton Street under an easement, turns right on Brighton, and left into Flanders Road. Here the MWRA measures the flow before it enters into a 36-inch MWRA line. The Flanders Road instrumentation transmits flow data to the MWRA by radio link every 15 minutes. (See "Belmont Flood Data



The sewer route from the author's home to Blair Pond.



Shows Leaking Sewers,” Belmont Citizens Forum Newsletter, May, 2010.)

Notice that the flow has been downhill all the way. But Flanders Road is only about 10 feet above sea level, and Deer Island is a long 13 miles away. The system needs help from a pumping station, situated beside the Mystic River at its confluence with Alewife Brook.

My wastewater’s path to the MWRA system is simple compared with some Belmont routes. A map shows a longer path. (See map on p.7) All wastewater from the west side of Belmont Hill goes around the hill and follows the railroad tracks, more or less, to Flanders Road and the MWRA system. If you live in the northwest corner of Belmont your wastewater goes downhill to a low point at the corner of Stoney Brook and Birch Hill Roads. From there a pump pushes it uphill for about 400 feet, going south under Stoney Brook. The map indicates the pumped section with a dotted line.

Wastewater from the southeast corner of Belmont enters the MWRA system not at

Flanders Road but at Thingvalla Avenue where there is also instrumentation to measure flow.

The clay sewer pipes that were placed under Belmont streets 75 years ago are at the end of their life. We can hope that modern plastic pipes will last longer.

But nothing lasts forever, not even the ground in which we place pipes. If you could find an undisturbed bit of New England ground and dig, the first half-foot or so would be rich, dark fertile soil produced from dead trees and other organic material. This soil is only about 10,000 years old. Below that is clay, sand, and stones carried here from the recent glacier, just yesterday on a geological time scale, about 10,000 to 20,000 years ago.

Dig down further, and you’ll hit bedrock. Even this layer is not stable on geologic time scales. Rocks deteriorate from their top surface, turning into fine soil components, and deteriorating rocks provide minerals in the soil that are necessary for plants. The bedrock itself gets used up. But from time to time, new rocks get pushed up by volcanoes or colliding tectonic plates to continue the rock deterioration cycles. For this we can thank radioactive heating inside the earth. And Belmont does not need to raise revenue to maintain bedrock.

Sumner Brown is a Director of the Belmont Citizens Forum.

## Leader Bank Offers Meeting Space

The Belmont Citizens Forum would like to thank Leader Bank for opening its community space for Forum meetings.

The Leader Bank’s community meeting room is available to other Belmont organizations. Located at its 363 Pleasant Street branch, the room can be reserved for day or evening hours. Contact the branch at (617) 489-5100.



# New Historic District To Protect Farm Houses

By Becky Prior

On a cold January afternoon, snow covers the fields of the Richardson Farm. The farm stand is shuttered for the winter, but footpaths in the snow are a reminder that the work of the farm goes on. An old wooden barn stands at the southern edge of the field, and just beyond, rooftops are visible through the bare trees.

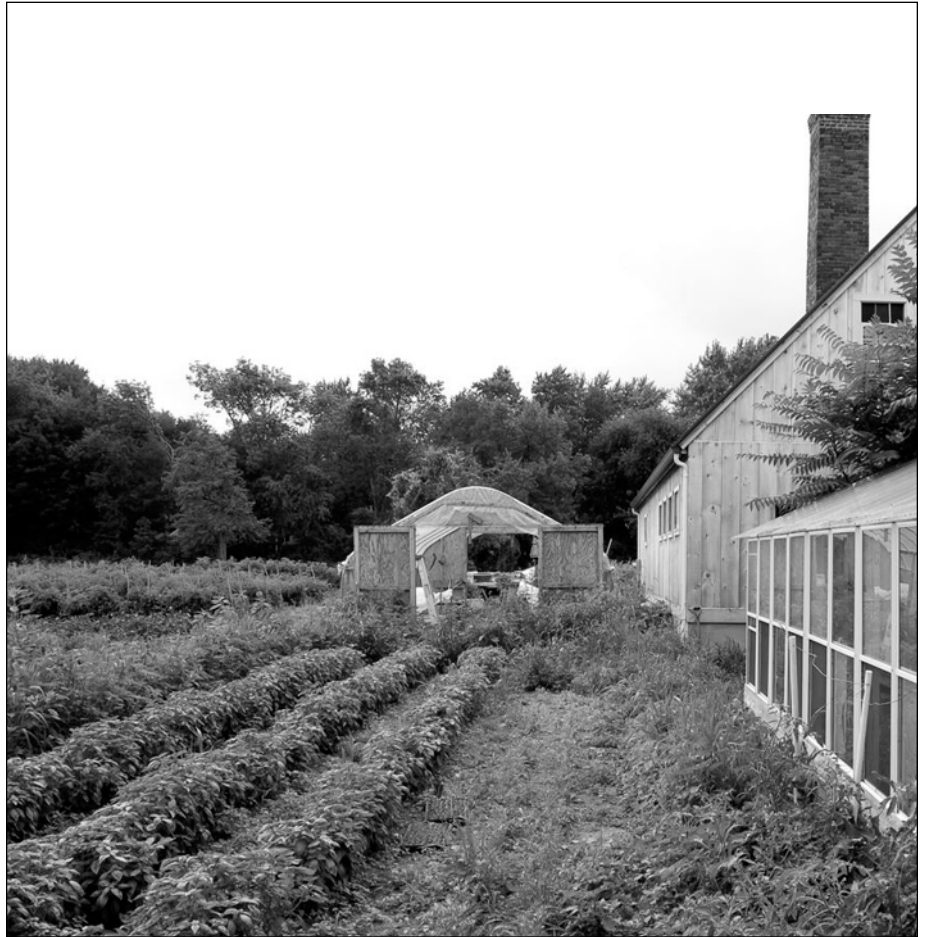
This rural scene is tucked into a suburban Belmont neighborhood, just miles from Boston. Richardson Farm is the last working farm in Belmont, and one of the last farms inside of Route 128. Through the efforts of owner Lydia Ogilby and her family, as well as the Belmont Historic District Commission, the area may soon be protected as a Local Historic District. Belmont Town Meeting is expected to vote on the Historic District designation this spring.

Adding a Local Historic District designation ensures that the landscape, homes, and farm buildings will remain unchanged as well. According to the *Final Study Report on the Establishment of the Richardson Farm Local Historic District*, written by Joseph Cornish for the Belmont Historic District Commission, "A Local Historic District offers the strongest protection possible for the preservation of historic structures, landscapes, and community fabric... Within a Local Historic District, any significant alterations to the exterior of a structure visible from a public way, park, or body of water are subject to the review of the Belmont Historical Commission in its role as the Belmont Historic District Commission."

This designation will add an additional layer of preservation to the agricultural restriction placed on the farm property in 2002. By donating the Agricultural Preservation Restriction to the Belmont Land Trust (supported

by the American Farmland Trust), the Ogilby family ensured that the 10-acre farm will continue to be used for agricultural purposes. (See "Last Working Farm in Town to be Preserved," Belmont Citizens Forum *Newsletter*, March, 2003.)

The proposed Historic District includes the Richardson Farm at 34 Glenn Road, including farm buildings and stone walls. It also includes



A view of the Ogilby land in a leafier season.

the 1807 Thomas Richardson House at 336 Washington Street and the 1781 Joseph Bright House at 306 Washington Street. The Richardson House property also includes a circa 1806-1807 barn and a circa 1935 garage.

## Farm Dates to Colonial Era

These three properties provide a unique link to the town's history dating back to colonial times.

ED YEE

## Community Path Survey

The Belmont Community Path Advisory Committee (CPAC) plans to release a survey on issues related to a community path through Belmont. Please check the town's CPAC web site for updates and the survey.

The address is [www.town.belmont.ma.us/Public\\_Documents/BelmontMA\\_BComm/CPAC/CPAC](http://www.town.belmont.ma.us/Public_Documents/BelmontMA_BComm/CPAC/CPAC).

In 1630, the first settlers from the Massachusetts Bay Colony arrived in the area with Sir Richard Saltonstall to set up a new agricultural community called Pequossette Plantation, and later called Watertown. Four years later, the land that includes the Richardson Farm was granted to Abraham Hill, a direct ancestor of the current owner, by King Charles I of England. The original parcel was quite large, reaching all the way to Boston Harbor in Charlestown.

Just after the Revolutionary War, Joseph Bright built the Bright House in 1781. Bright, a captain in the Revolutionary War and the grandson of one of the 1630 settlers, built a successful farm, which was inherited by his sons after his death in 1816. Josiah Bright then purchased his brother's share of the property, starting a market garden farm as well as cutting ice on Fresh Pond.

Josiah's businesses were representative of the area in the 19th century. Ice cutting on Fresh Pond began in 1805, quickly becoming a booming business as ice was exported to the Boston market and around the world. Business was so good that the first rail line to the area was built to haul ice to the Boston docks.

Much of the area remained agricultural, however. After its 1859 incorporation as a town, Belmont became well known for the large, high-quality produce from its market gardens, which sold produce at Boston's Faneuil Hall. The strong association with market gardening is reflected in the town's seal, which depicts Pomona, the Roman goddess of fruit, orchards, and gardens.

The Richardson House has similar historical significance. Thomas Richardson built the house in 1807 on land purchased after the Revolutionary War by his father Richard, a farmer and early investor in the Concord Turnpike. Like the neighboring Bright Farm, the Richardson Farm was also a successful market garden.

The farm was eventually inherited by Thomas Richardson's grandson, J. Howard Richardson, who was married to Emma Hill. Emma was a direct descendant of Abraham Hill, who originally owned both the Richardson and Bright farms. Their daughter, Grace Richardson Phippen, inherited the Richardson Farm in 1923, then purchased the neighboring Bright House in 1929. Current owner Lydia Phippen Ogilby bought the Bright House from her mother in 1951, then inherited the Richardson House and Farm in 1971.

As the rise of streetcar lines and automobiles made Belmont attractive to professionals working in Boston and Cambridge, many of the town's farms were subdivided and sold as housing lots. Both Grace Phippen and Lydia Ogilby sold pieces of property for housing during the town's transformation into a 20th-century suburb, but maintained the farm itself and the historic homes.

Today, the Ogilby family continues to own both homes and the farm. Both Lydia and her son Henry live on the farm, and the family has been active in preserving the character of this historic property. The Richardson Farm itself has recently begun a new chapter in its 400-year history, as Mike Chase and his family have recently begun farming the land.

At Town Meeting this spring, the Town of Belmont will have the opportunity to designate the area a Local Historic District, ensuring the protection of the homes and the landscape, and preserving this link to Belmont's history.

**Note:** I'd like to thank Joe Cornish for his assistance with the research, and for sharing the *Final Study Report on the Establishment of the Richardson Farm Local Historic District*, which was an invaluable resource.

Becky Prior is a director of the Belmont Food Collaborative, Inc. and editor of the Belmont Farmers' Market email newsletter.

# Snowy Sidewalks Can Mean High Costs

By Meg Muckenhoupt

Winters in Massachusetts mean snow, but many Belmont residents are reluctant to get out their shovels and clear their sidewalks. Many nearby communities compel sidewalk snow removal with fines and tickets, but homeowners may be more motivated by a recent court decision that leaves them newly liable for accidents caused by “natural accumulation” of ice and snow.

The Town of Belmont does plow 28 of the 90 miles of sidewalks in town, particularly around schools, Belmont Center, Cushing Square, and Waverley Square, but those are only a fraction of the town’s walkways. Although Belmont’s bylaws require commercial property owners to clear snow from their storefronts within 12 hours of a storm, Belmont residents do not have any legal requirements to shovel their sidewalks. The result: plenty of sidewalks remain unshoveled, forcing pedestrians into the streets and confining many elderly residents to their houses.

Other communities in the region have different approaches to sidewalks.

## Cambridge

The City of Cambridge has the most aggressive local approach to snow. There, the owner—or occupant—of any private property, commercial or residential, bordering a sidewalk must clear it

within 12 hours of a storm, or by 1 p.m. the next day if snow falls in the night. The penalty for leaving sidewalks slushy? A fine of \$50 per day.

The difference between Cambridge and many other local communities is that Cambridge actively enforces its snow-clearing regulations. According to the Metropolitan Area Planning Council’s Snow Removal Policy Toolkit 2012, “After a snow storm, Cambridge deploys parking control officers on prioritized routes to ticket property owners who do not clear sidewalks... Cambridge also has an online form for residents to report icy or uncleared sidewalks...”

## Lexington

The town of Lexington plows 52 miles of sidewalks in Lexington Center and along walking routes to public schools. However, the town doesn’t guarantee that the sidewalks will be plowed until “two to three days” after the storm, depending on how much attention the roads require. Practically, what that means is that when temperatures hover in the low 30s, snow melts on sunny days and refreezes into hard ice before the plows arrive, making sidewalk clearing impossible.

Commercial property owners who aren’t on sidewalk plow routes must clear “any snow or ice upon... sidewalks which impedes the orderly flow



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*RHODODENDRONS IN SNOW*

## Snow Resources

Belmont winter storm information  
[www.town.belmont.ma.us/Public\\_Documents/BelmontMA\\_Highway/index](http://www.town.belmont.ma.us/Public_Documents/BelmontMA_Highway/index)

MAPC Snow Removal Toolkit  
[www.mapc.org/resources/snow-removal-policy](http://www.mapc.org/resources/snow-removal-policy)

Snow removal assistance for seniors  
Marie Poore, Volunteer Coordinator,  
Belmont Council on Aging  
(617) 993-2979

of safety of pedestrian traffic” within four hours of its appearance, or four hours after sunrise if the snow falls during the night. Although Lexington residents are “strongly encouraged” to shovel their walks, they aren’t required to do so. However, they are barred from throwing snow onto sidewalks that the town has cleared.

### Arlington

Arlington has adopted a more moderate version of Cambridge’s regulations. Residents whose homes abut sidewalks must clear their sidewalks within “eight hours between sunrise and sunset” after snowfall or be fined \$25 per day. Apartment and business owners are fined \$50 a day for snow violations. Arlington residents who throw snow into sidewalks and roads are theoretically fined \$25/day that the material is not removed. Whether or not Arlington consistently enforces these bylaws is a different issue.

### Homeowners Could Face Lawsuits

Whatever a municipality’s position, property owners should be aware that the liability law in Massachusetts changed recently. For more than 100 years, the “Massachusetts rule” held that property and homeowners were only liable for accidents if the accident was caused by an “unnatural occurrence.” Ordinary, unshoveled snow didn’t count because it was a natural occurrence during a New England winter.

In June 2010, the Massachusetts Supreme Judicial Court ruled in *Papadopoulos v. Target* that property owners must keep their property reasonably safe, and there is no exception to this general rule for snowfall. According to the *Boston Globe*, “...property owners now can be held liable for injuries that are linked to any snow and ice on their land, regardless of whether the conditions were caused by nature or a city plow.”

By way of explanation, the court’s ruling reads, in part, a “hardy New England visitor would choose to risk crossing the snow or ice rather than turn back or attempt an equally or more perilous walk around it”—on the plowed street, for example.

If the local government owns a sidewalk, the city or town is ultimately responsible for injuries incurred on a public sidewalk, according to the Massachusetts Real Estate Law Blog. But Belmont has plenty of private streets where abutters own the sidewalk. On those streets, the homeowners are fully liable for all damages from slip-and-fall lawsuits.

The *Papadopoulos v. Target* decision hasn’t changed conditions much for the town’s snow clearing, according to Peter Castanino, Belmont’s Director of Public Works. “Public ways,” that is, the street and sidewalks owned by the town, have always had “some expectation they would be reasonably safe,” Castanino said. The *Papadopoulos* decision expands that expectation to public land around public facilities as well—such as the grounds around the Beech Street Senior Center.

Castanino recalled two separate attempts by Town Meeting to create bylaws that would compel residents to clear snow from sidewalks. “Both failed. They weren’t even close,” Castanino said. “People said, ‘What if you’re not home, or sick? What about senior citizens? It’s not fair.’” Apparently Cambridge and Arlington feel that it’s fair to expect all property owners in their communities to keep their sidewalks clean and safe.

Meg Muckenhaupt is Editor of the Belmont Citizens Forum *Newsletter*.

## Environmental Events

By Jenny (Yoon Jae) Kim

### Walk-Ride Day

**Fridays, January 25 and February 22**

Walk/Ride Days occur on the last Friday of every month. Celebrate green transportation, give people an opportunity to make community connections, and promote a festive local atmosphere. Go green by walking, bicycling, and using public transit. Participants are eligible for raffle prizes and discounts offered by local businesses. Register online at [GoGreenStreets.org](http://GoGreenStreets.org). *Greater Boston*.

### Alewife Winter Wildlife Walks

**Saturday, January 19, February 16, and March 23, 1-3 p.m.**

Join the Friends of the Alewife Reservation to look for signs of wildlife in the Alewife reservation. The January walk focuses on tracks and signs in snow and mud; February features winter survival strategies and a talk about the Reservation's new storm-water detention basin; and the March walkers will look for signs of early spring migration. [www.friendsofalewifereservation.org](http://www.friendsofalewifereservation.org). *Acorn Park Drive Alewife Reservation parking lot, Cambridge*.

### Alewife Poetry Walk

**Saturday, January 26, 9:30-11:30 a.m.**

Come on a beautiful nature walk and poetry readings along Little River in Cambridge and Belmont. Walkers will stop along the way to read short poems from a variety of cultures. The walk will travel along the river, meadow, and forest habitat that is home to wildlife such as red foxes, coyote, river otter, cottontail rabbits, snapping turtles, and more than 40 species of birds, including wild turkeys and great blue herons. Sponsored by the Belmont Citizens Forum and Friends of Alewife Reservation. [www.belmontcitizensforum.org](http://www.belmontcitizensforum.org), [bcfprogramdirector@gmail.com](mailto:bcfprogramdirector@gmail.com). *Acorn Park Drive Alewife Reservation parking lot, Cambridge*.

### Green in Winter Hike

**Sunday, January 27, 1-3 p.m.**

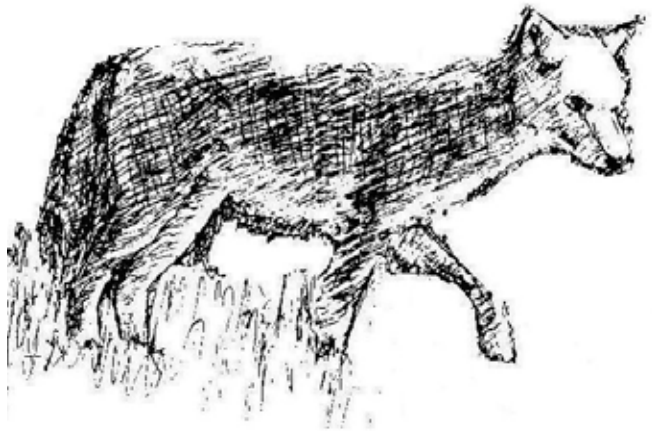
Naturalist Rosemary Mosco will lead a hunt in Whip Hill for plants that stay green even in the coldest months, and talk about why and how they

do so. Beginner botanists are welcome! [www.fells.org](http://www.fells.org), [friends@fells.org](mailto:friends@fells.org). *Greenwood Parking Lot, 150 Pond Street, Stoneham*.

### Arlington Land Trust Annual Meeting: Coexisting with Coyotes

**Tuesday, January 29, 7-9 p.m.**

This year's ALT annual meeting will feature guest speaker John Maguranis, Animal Control Officer for the Town of Belmont and Massachusetts representative of Project Coyote. John will explore with us an understanding and appreciation of these animal neighbors, and how we can—and should—coexist with them. [www.arlingtonlandtrust.org](http://www.arlingtonlandtrust.org), [info@arlingtonlandtrust.org](mailto:info@arlingtonlandtrust.org). *Arlington Senior Center, 27 Maple Street, Arlington*.



ANN COIT SIFNEOS

### Taking Root: The Vision of Wangari Maathai

**Wednesday, January 30, 7-9 p.m.**

The Lexington Global Warming Action Coalition sponsors *Taking Root*, a film about the dramatic story of Kenyan Nobel Peace Prize Laureate Wangari Maathai. Maathai's simple act of planting trees grew into a nationwide movement to safeguard the environment, protect human rights, and defend democracy. [www.lexgwac.org](http://www.lexgwac.org), [info@LexGWAC.org](mailto:info@LexGWAC.org). *Large Meeting Room, Cary Memorial Library, 1874 Massachusetts Avenue, Lexington*.

### Hike the Southern Fells

**Saturday, February 2, 10:15 a.m.**

Join Dan Sumorok on a hiking tour of the

southernmost part of the Fells on the Skyline, Reservoir, and Cross Fells trails. This walk will end with a visit to Pine Hill and Wright's Tower, where Medford, Boston, and the Blue Hills can be seen in the distance. [www.fells.org](http://www.fells.org), [friends@fells.org](mailto:friends@fells.org), (617) 803-3173. Rain cancels. *Bellevue Pond parking area, South Border Road, Medford.*

## Cheese Making

**Sunday, February 3, 2-4 p.m.**

Join LexFarm and the Belmont Food Collaborative and learn to make cheeses like chevre (goat cheese) in addition to ricotta and paneer from cow's milk. Learn about milk election, curd textures, and starters, along with tools and techniques, and try your creations during the after-class tasting. Fee \$20. [belmontfood.org/projects/education/basic-cheese-making-course](http://belmontfood.org/projects/education/basic-cheese-making-course). *First Church in Belmont, 404 Concord Avenue, Belmont*

## Belmont's Stormwater and Sewer Systems

**Wednesday, February 13, 7-9 p.m.**

Sustainable Belmont sponsors an interactive

presentation of hydraulic models of Belmont's storm water and sewer systems developed by the engineering firm Fay, Spofford & Thorndike. Participants will be able change the inputs and see how these systems would respond. These models should provide valuable insights into which mitigation practices will provide best the pay-off for Belmont. [www.sustainablebelmont.net](http://www.sustainablebelmont.net). *Board of Selectmen's Meeting Room, Belmont Town Hall, 455 Concord Avenue, Belmont.*

## Biodiversity 2013: Crisis and Opportunity

**Monday, February 25, 7-8:30 p.m.**

Biodiversity science is more productive today than ever before; the rate of new species discovery is higher than it has ever been. At the same time, the rate of species extinction is increasing dramatically due to environmental degradation. James Hanken, Alexander Agassiz Professor of Zoology at Harvard University, will discuss this paradox. Free, but registration required at [my.arboretum.harvard.edu](http://my.arboretum.harvard.edu). *Hunnewell Building, Arnold Arboretum, 125 Arborway, Jamaica Plain, Boston.*

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## Letters to the Editor

To the Editor:

Nice articles but the one on 70 years by Robert Wolf (Belmont Citizens Forum *Newsletter*, November/December 2012) was not accurate. He graduated two years after me.

The fish store was Meister's

It was not Ben Franklin but Woolworth's -5 and 10 cent store.

And besides Sage's Food Market next door was- (Sage's did a lot of deliveries for people who could not get out. Not too many people drove in the 40s and 50s.) There was a Sage Jr. on Park Road and also a store in Cambridge near Concord Ave.

The First National Store which was busier than Sage's. the only reason it closed was because the other chain stores did not do the volume of business that the Belmont Center did so it closed back in the 70s.

A famous quote was "I went into the First National to buy food and I came out a member of a committee!!"

Is there any way I can get this online? My cousin graduated in '54 and he is the webmaster for his class. I am sure they would like to see this.

It certainly brought back memories especially the sledding down Myrtle Street (they closed) the street. It was fun!!

Maryann Scali  
Belmont

*The author reponds:*

I may well be wrong about the name of the fish store in Belmont Center, but I have a very clear memory that it was a Ben Franklin, not a Woolworth store that I went to.

I am part of the BHS class of 1954, and we do have a website created by our classmate Joe Mazzei. The address is : <http://web.atmc.net/~jnmazzei/Chat13.html>

I asked Joe to post the Citizens Forum Newsletter [web site] address for the November/December issue, which he did. There a a couple of responses to the article posted on the BHS '54 website.

## Steps Toward Building the New Economy

**Wednesday, March 6, 7-9 p.m.**

Sustainable Belmont and the Social Action Committee of First Church in Belmont present Bob Massie, president of the New Economics Institute. Building on more than 30 years of alternative economic thinking and community-based practices, Massie will talk about how the New Economics Institute has recently committed to building a nation-wide, grassroots movement for a just and sustainable economy. [www.sustainablebelmont.net](http://www.sustainablebelmont.net).  
Board of Selectmen's Meeting Room, Belmont Town Hall, 455 Concord Avenue, Belmont.



ANN COIT SIFNEOS

# We need you.

If you can volunteer even a few hours a month, you can make a difference. You do not need to be an expert—just a person who cares about our town.

### *I can devote time to:*

- Archaeology & Historic Preservation
- Environmental Protection
- Planning & Zoning
- Community Path
- Walking in Belmont
- Mailings
- Newsletter

### *I can help pay for this newsletter:*

It costs about \$4,000 to publish each issue of our newsletter. Please donate for this purpose:

\$50    \$100    \$150    \$250

Make checks payable to **Belmont Citizens Forum** and mail to Belmont Citizens Forum, P.O. Box 609, Belmont MA 02478, or donate at [www.belmontcitizensforum.org](http://www.belmontcitizensforum.org).

**Thank you!**

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone/E-mail \_\_\_\_\_

Many companies support employees in their personal philanthropy and fundraising efforts. When you make a donation to the Belmont Citizens Forum, let us know if your employer has a **corporate matching gift** program. Your donation goes farther with matching funds. Thank you!

If you have questions, please e-mail us at [info@belmontcitizensforum.org](mailto:info@belmontcitizensforum.org). The Belmont Citizens Forum is a nonprofit 501(c)(3) organization. Your donation is deductible from federal taxes to the full extent provided by law.

January/February 2013



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