

**BEDFORD CONSERVATION COMMISSION**  
**Minutes of Meeting**  
**October 22, 2014**  
**Selectmen's Meeting Room**  
**Town Hall, Bedford, MA**

**PRESENT:** John Willson, Chair; John Britton, Clerk; Joseph Guardino; Lori Eggert;  
Allan Wirth  
Elizabeth Bagdonas, Conservation Administrator;  
Stephanie Ide, Conservation Department Assistant  
**ABSENT:** Steven Hagan, Vice-Chair; Andreas Uthoff

The meeting was called to order at 7:00 pm.

Mr. Willson read the Public Record Statement as approved by Town Counsel on 9/10/12.

**Continuation of Request for Determination of Applicability: 30 Dunelm Road**

Mr. Jeffrey Cicone was present before the Commission to continue the discussion from the meeting of October 8, 2014 on the proposed construction of a shed within the 100-foot buffer zone to bordering vegetated wetland. Mr. Britton, Mr. Guardino and Ms. Bagdonas conducted a site visit on October 10, 2014. Ms. Bagdonas stated that there is no alternate place for the shed on the property because the owner does not wish to locate either within the fence or uphill. Mr. Cicone submitted a compensation plan showing the area which will be marked with native shrubs.

A motion was made by Mr. Britton and seconded by Mr. Guardino to issue a positive Determination for reason five and a negative Determination for reason three with the following conditions:

1. The Commission and the applicant shall agree upon the location of the compensation area within four weeks of the shed installation.
2. The applicant may maintain eight feet behind the shed.

The motion passed 5-0-0, after which the Determination was signed.

**Request for Determination of Applicability: 85 Page Road**

A motion was made and seconded to waive the reading of the public notice. The motion passed 5-0-0. Ms. Pamela Brown of Brown & Brown and Mr. Jeffrey Dearing, President of the Wedgewood Club, were both present before the Commission to discuss the proposed reconstruction of three tennis courts, the removal and replacement of tennis net poles and light poles, installation of fencing and repair of a retaining wall within the 100-foot buffer zone to Bordering Vegetated Wetland. Mr. Guardino conducted a site visit and stated that he saw no evidence of wetlands within 100-feet of the project area.

A motion was made by Mr. Britton and seconded by Mr. Wirth to issue a negative Determination for reason four and a positive Determination for reason five. The motion passed 5-0-0, after which the Determination was signed.

**Request for Determination of Applicability: 114 Davis Road**

A motion was made and seconded to waive the reading of the public notice. The motion passed 5-0-0. Ms. Andrea Kendall of LEC Environmental Consultants was present before the Commission on behalf of National Grid to discuss the proposed installation of a gas line which will provide gas to the house at 114 Davis Road which is within the 100-foot buffer zones to Bordering Vegetated Wetland, Isolated Wetland and bordering land subject to flooding.

Ms. Kendall submitted a revised plan dated October 16, 2014. Ms. Kendall stated that a 1" pipe will either be snaked in from the street to the house or National Grid will dig a 3 foot deep trench and install the gas pipe. The Commission asked about the large apple tree located in the front of the house that looked to be in the way of the proposed gas pipe. Mr. Federico of 114 Davis Road and Ms. Kendall stated that all efforts will be made to save the apple tree which is the only tree remaining from the properties apple orchard history.

A motion was made by Mr. Britton and seconded by Mr. Guardino to issue a negative Determination for reason three and a positive Determination for reason five with the following condition:

1. Restoration of soils within the 25-foot buffer disturbed as a result of the construction is required.

The motion passed 5-0-0, after which the Determination was signed.

**Request for Determination of Applicability: Route 62 – Burlington Road**

A motion was made and seconded to waive the reading of the public notice. The motion passed 5-0-0. Mr. Cody Holemo of the Massachusetts DOT Highway Division was present before the Commission to discuss the proposed reconstruction of a roadway and the adjusting or rebuilding of drainage structures, sewer structures, water gates and gas gates within the Riverfront Area to Vine Brook. Mr. Holemo stated that this project is not subject to the bylaw. The project is proposed to begin in the spring. Silt sacs are proposed but all work will take place within existing curbing that would contain any run off from the project. Ms. Bagdonas recommended that the Commission set a condition requiring hay bales to be kept on site as a precautionary measure.

A motion was made by Mr. Wirth and seconded by Mr. Britton to issue a negative Determination for reason three with the following condition:

1. Additional erosion control materials shall be kept on site to be used as needed in addition to erosion control measures that are proposed.

The motion passed 5-0-0, after which the Determination was signed.

### **Public Hearing – Notice of Intent: 6 MacIntosh Road**

A motion was made and seconded to waive the reading of the public notice. The motion passed 5-0-0. Ms. Pamela Brown of Brown & Brown, PC. was present before the Commission on behalf of Michael Cotton to discuss the proposed demolition of an existing house and construction of a new house within the 100-foot buffer zone to Bordering Vegetated Wetland. Mr. Willson conducted a site visit with Ms. Mary Trudeau. An existing 90 square foot shed is proposed to be removed from the 25-foot buffer zone and the 25-foot buffer will be restored to a natural state. Mr. Charles Roth of 17 Appletree Lane stated that he was concerned about the new construction having an impact on the wetland on his property. Ms. Bagdonas said that the field data sheets need to be submitted but explained that the Commission could close the public hearing subject to receipt of the information. Ms. Bagdonas also stated that a revised plan should be submitted showing the drainage structures.

A motion was made by Mr. Britton and seconded by Mr. Wirth to close the public hearing subject to receipt of the field data sheets and revised plan. The motion passed 5-0-0. The Order of Conditions will be discussed at the meeting of November 5, 2014.

### **Public Hearing – Notice of Intent: 30 Brooksbie Road**

A motion was made and seconded to waive the reading of the public notice. The motion passed 5-0-0. Mr. Steve Erikson of Norse Environmental Services, Inc. was present before the Commission on behalf of George & Bonnie McCulloch, also present, to discuss the proposed demolition of a screen porch and concrete patio, relocation of a shed and construction of an addition, deck, stone infiltration trench, associated grading and utilities within the 100-foot buffer zone to Bordering Vegetated Wetland.

A revised plan dated October 17, 2014 was submitted to the Commission. Mr. Erikson stated that the applicants are willing to relocate an existing shed which is currently located within the flagged wetland. Mr. Erikson discussed replicating 2,000 square feet of wetland in the side yard as well as allowing the area behind the existing fence to naturalize. Mr. Wirth and Mr. Willson made a site visit and explained that the flagged wetland goes right through the middle of the fenced in backyard. A lengthy discussion took place regarding the proposed wetland replication.

With the agreement of the applicant a motion was made by Mr. Britton and seconded by Ms. Eggert to continue the public hearing to the meeting of December 17, 2014. The motion passed 5-0-0.

### **Bills Payable: Jordan Gardens**

A motion was made by Mr. Wirth and seconded by Mr. Britton to issue payment to Oxbow Gardens in the amount of \$150.00 for the mowing at Jordan Gardens on September 8, 2014, September 23, 2014 and October 4, 2014. The motion passed 5-0-0, after which the bills payable form was signed.

**Replacement Certificate of Compliance: Sweeney Ridge Road, Lots 12, 13 &14**

Ms. Bagdonas stated that the Order of Conditions related to Lots 12 and 13 Sweeney Ridge Road is invalid as the work never commenced. A partial Certificate of Compliance should be re-issued for lot 14, with continuing conditions.

A motion was made by Mr. Wirth and seconded by Ms. Eggert to issue the replacement Certificate of Compliance. The motion passed 5-0-0, after which the Certificate of Compliance was signed.

**285 Great Road:**

Mr. John Hession of EBI Consulting and Mr. Jerry Drucker and Michael Lesberg were present before the Commission to discuss a minor modification to the project. Ms. Bagdonas and Mr. Guardino conducted a site visit. The erosion control line needs to be temporarily moved. A motion was made by Mr. Britton and seconded by Mr. Wirth to acknowledge the temporary moving of the erosion control line closest to Elm Brook. The motion passed 5-0-0.

*A motion was made by Mr. Guardino and seconded by Mr. Britton to adjourn the meeting. The motion passed 5-0-0 adjourning the meeting.*

*The meeting was adjourned at 9:22 pm.*

*The minutes were prepared by Stephanie Ide.*

*The minutes were approved at the meeting of February 11, 2015.*