

**BEDFORD CONSERVATION COMMISSION**  
**Minutes of Meeting**  
**October 30, 2013**  
**Second Floor Conference Room**  
**Town Hall, Bedford, MA**

**PRESENT:** John Willson, Vice Chair; Allan Wirth, Clerk; Andreas Uthoff; Lori Eggert; Tim Gray; John Britton  
Elizabeth Bagdonas, Conservation Administrator; Stephanie Ide,  
Conservation Department Assistant

**ABSENT:** Steven Hagan, Chair

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.

**Request for Determination of Applicability: 26 Gray Terrace**

Mr. Andrew Changelian was present before the Commission to discuss the proposed replacement of footings on a three season porch within the 100-foot buffer zone to bordering vegetated wetland. Ms. Bagdonas explained that she went out to look at the wetland on the site where a few flags remained from a previous unreviewed Oxbow delineation. However, the delineation was not visible. The wetland appears to be further back than is shown on the GIS maps and the proposed project will remain outside of the 50-foot buffer zone. Ms. Bagdonas stated that a portion of the 25-foot buffer is not in a natural state. Mr. Changelian said that he would be willing to plant some native bushes within the 25-foot buffer zone.

A motion was made by Mr. Uthoff and seconded by Mr. Gray to issue a positive Determination for reason five and a negative Determination for reason three. The motion passed 6-0-0, after which the Determination was signed. Mr. Willson stated that there is an understanding that Mr. Changelian is willing to plant native bushes within the 25-foot buffer zone to bordering vegetated wetland.

**Request for Determination of Applicability: 102 Springs Road**

Mr. Richard Iovino was present before the Commission to discuss the proposed site work and landscaping associated with new house construction, within the 100-foot buffer zone to bordering vegetated wetland. Mr. Iovino stated that there is an area of yard located within the 100-foot buffer.

A motion was made by Mr. Uthoff and seconded by Mr. Gray to issue a positive Determination for reason five and a negative Determination for reason three. The motion passed 6-0-0, after which the Determination was signed.

**Request for Determination of Applicability: 21 Caribou Street**

Mr. John Canty of Canty Brothers Construction was present before the Commission on behalf of Elise Smith to discuss the proposed construction of an addition and reattachment of an existing deck within the 100-foot buffer zone to bordering vegetated wetland. Mr. Canty explained that the 5 x 12 addition will remain outside of the 50-foot buffer. Ms. Bagdonas explained that a site visit was made and discovered that a shed was located within the 25 and 50-foot buffer zones. Ms. Bagdonas stated that she was unsure whether the shed was permitted and asked Mr. Canty if the shed was included in the impervious surface calculations. Mr. Canty said that the shed was on the property when the owners bought the home and that he will revise the impervious surface calculations to include the shed.

A motion was made by Mr. Gray and seconded by Mr. Wirth to issue a positive Determination for reason five and a negative Determination for reason three with the following potential findings (dependent on whether the existing shed was originally permitted) and condition:

Finding: 1. Any future shed must be located outside of the 50-foot buffer zone and the existing shed can not be replaced in its current location.

2. The Impervious surface calculations for the site are approaching 25%.

Condition: 1. The applicant shall recalculate the impervious surface calculations to include the existing shed and submit them to the Conservation Office prior to obtaining his permit.

The motion passed 6-0-0, after which the Determination was signed.

**Request for Determination of Applicability: 440 Great Road**

Mr. Francis McCarthy was present before the Commission to discuss the proposed demolition of an existing house and construction of a new house, driveway, utilities, grading and landscaping within the 100-foot buffer zone to bordering vegetated wetland. Ms. Bagdonas stated that the wetland in question is located across the street from the proposed project and recommended that the Commission set a condition for erosion control to prevent any site runoff from going into the road.

A motion was made by Mr. Uthoff and seconded by Mr. Gray to issue a positive Determination for reason five and a negative Determination for reason three with the following condition: A wattle barrier shall be installed at the front property line as an erosion control measure. The motion passed 6-0-0, after which the Determination was signed.

**Jordan Gardens Deposit Refunds:**

A motion was made by Mr. Uthoff and seconded by Mr. Gray to issue 15 of 17 deposit refunds in the amount of \$40.00 per gardener for use of garden plots at Jordan

Gardens from the Jordan Gardens Account. The motion passed 6-0-0, after which the bills payable forms were signed.

**Jordan Gardens Non-Use Letter:**

The Commission discussed issuing a non-use letter to two gardeners for non-use of their gardening plots; citing the Jordan Gardens policy. Mr. Willson recommended issuing the refunds but asking the two gardeners to come into the office to pick them up with a letter explaining that next gardening sign-up period they will not have the option of automatically reserving their plot but will have to wait to sign-up during the new gardener period. A motion was made by Ms. Eggert and seconded by Mr. Britton to issue the refunds with the non-use letter as discussed. The motion passed 5-1-0, with Mr. Gray voting against.

**Bills Payable:**

A motion was made by Mr. Uthoff and seconded by Mr. Gray to issue payment to Oxbow Gardens in the amount of \$150.00 from the Jordan Gardens Account for lawn services rendered on September 14, 2013, September 25, 2013 and October 4, 2013. The motion passed 6-0-0, after which the bills payable form was signed.

**Carleton-Willard Review of Conditions & Findings for Determination:**

The Commission members reviewed a commercial conditions model to determine what conditions they will include in the Determination. A motion was made by Mr. Uthoff to issue the Determination with the conditions as discussed at the meeting of October 16, 2013. The motion was not seconded. A motion was made by Ms. Eggert and seconded by Mr. Wirth to issue the Determination including conditions 37, 44 and 45 from the model. The motion passed 4-1-1, with Mr. Britton voting against and Mr. Gray abstaining.

**Certificate of Compliance: 241 Davis Road**

A motion was made by Mr. Uthoff and seconded by Mr. Gray to issue the Certificate of Compliance for 241 Davis Road with continuing condition 44, as it relates to herbicides, pesticides and inorganic chemical fertilizers. The motion passed 6-0-0, after which the Certificate of Compliance was signed.

**Certificate of Compliance: 17 Hemlock Lane**

A motion was made by Mr. Uthoff and seconded by Mr. Gray to issue the Certificate of Compliance for 17 Hemlock Lane with the following continuing conditions: 59, 60 & 63; relating to post-project landscape maintenance, use of landscaping and de-icing chemicals, snow storage, and future landscaping work. The motion passed 6-0-0, after which the Certificate of Compliance was signed.

**Minutes:**

A motion was made by Mr. Uthoff and seconded by Mr. Britton to approve the minutes of October 16, 2013 as written. The motion passed 4-0-2 with Mr. Gray and Mr. Willson abstaining.

*The meeting was adjourned at 8:08 pm.*

*The minutes were prepared by Stephanie Ide.*

*The minutes were approved at the meeting of November 13, 2013.*