

BEDFORD CONSERVATION COMMISSION

Minutes of Meeting

November 13, 2013

Second Floor Conference Room

Town Hall, Bedford, MA

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

ABSENT: Tim Gray

The meeting was called to order at 7:02 pm.

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

Public Hearing – Notice of Intent: 84 North Road

Mr. Richard Kirby of LEC Environmental Consultants, Inc. and Mr. David Brickman of Middlesex Development Group, LLC were present before the Commission to discuss the proposed demolition of an existing house at 84 North Road and the proposed construction of a new house with attached garage, deck, grading and landscaping within the 100-foot buffer zone to Bordering Vegetated Wetland. Mr. Kirby stated that the proposed deck will be 53.4 feet at its closest point to the wetland. There will be no work within the 25-foot buffer zone other than to remove an existing shed and no structures within the 50-foot buffer zone. The existing impervious surface for the lot is at 6.7%; the proposed will be 16.8%. Ms. Bagdonas asked about the grading on the site and how it is going to merge with the existing elevations at the 25-foot buffer zone boundary. Mr. Kirby stated that the grading will be gradual and merge with existing elevations.

Ms. Amy Gauger of 88 North Road was concerned about the elevation changes along the side lot lines and asked how the applicant was going to be able to prevent more water from flowing onto her property. Mr. Kirby stated that an infiltration system will be installed to collect roof runoff and a swale will be created along the side of the property to prevent any water from running onto neighboring properties. The Commission discussed erosion control. Ms. Bagdonas recommended that the Commission set a condition requiring a silt fence and haybales along the sides of the property, in addition to the erosion control shown on the plan.

A motion was made by Mr. Uthoff and seconded by Mr. Willson to close the public hearing. The motion passed 5-0-1 with Mr. Wirth abstaining.

Public Hearing – Notice of Intent: 195 South Road

Mr. Doug Lees of Lees Inc and John Ripa of New Locust Realty Trust were present before the Commission to discuss the proposed demolition of an existing house and shed at 195 South Road and the construction of a new single family house, roof recharge, deck, driveway, grading and associated utilities within the 100-foot buffer zone to Bordering Vegetated Wetland. Mr. Lees stated that there is an existing fence on the property that will be removed. The existing impervious surface on the site is 3.2%; the proposed will be at 4.8%. Ms. Bagdonas told the Commission that the lot has an undisturbed 25-foot buffer zone abutting Hartwell Forest which will remain undisturbed. Ms. Bagdonas suggested that the applicant contact the Department of Public Works to review their requirements for the infiltration system.

A motion was made by Mr. Uthoff and seconded by Mr. Britton to close the public hearing. The motion passed 6-0-0.

Jordan Gardens Account & Fees:

A motion was made by Mr. Uthoff to postpone the discussion of the Jordan Gardens Fees to the first meeting in January. The motion was not seconded. A motion was made by Ms. Eggert and seconded by Mr. Britton to raise the fee to garden at Jordan Gardens to a flat fee of \$40.00 with no deposit or refunds to cover the expenses of maintaining the gardens. The motion passed 5-1-0 with Mr. Uthoff voting against.

Order of Conditions: 84 North Road

The Commission reviewed the draft Order of Conditions that was prepared by Ms. Bagdonas. A motion was made by Mr. Willson and seconded by Ms. Eggert to issue the Order of Conditions with special conditions 46 and 47 as written, condition 48 as amended and adding condition 49 to state that haybales and a silt fence shall be installed at the side property lines for additional erosion control. The motion passed 5-0-1 with Mr. Wirth abstaining. The Order of Conditions was then signed.

Order of Conditions: 195 South Road

The Commission reviewed the draft Order of Conditions that was prepared by Ms. Bagdonas. A motion was made by Mr. Uthoff and seconded by Mr. Wirth to issue the Order of Conditions as drafted. The motion passed 6-0-0, after which the Order of Conditions was signed.

Certificate of Compliance: 26 Battle Flagg Road

A motion was made by Mr. Uthoff and seconded by Mr. Willson to issue the Certificate of Compliance for 26 Battle Flagg Road contingent upon a site visit to be made by the Conservation Administrator. 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 30, 2013 as written. The motion passed 5-0-1 with Mr. Hagan abstaining.

Fawn Lake Evaluation:

Ms. Bagdonas stated that the funding for restoration and site analysis at Fawn Lake was approved in the amount of \$50,000.00 and asked if any member of the Commission would be willing to participate in meetings on this project. Mr. Willson stated that he would be able to attend meetings on Wednesdays and Mr. Hagan said that he would also be interested in attending. This matter will be further discussed at the meeting of December 11, 2013.

Determination of Applicability Findings and Conditions Insert:

Ms. Bagdonas stated that she would like the Commission to approve the use of the Determination of Applicability findings and conditions insert for use. The insert provides additional space for the Commission to include findings and conditions when issuing Determinations. The Commission approved the use of the insert but no vote was taken.

Filing Procedure:

Ms. Bagdonas asked the Commission if they would like to see an application for temporary dog fencing or underground electric dog fencing. The Commission agreed that they could not approve anything that alters the ground without a formal review, but suggested that people could consider the possibility of using a wireless fence or laying the wiring for an electric fence on the ground.

The meeting was adjourned at 8:30 pm.

The minutes were prepared by Stephanie Ide.

The minutes were approved at the meeting of December 11, 2013.