

BEDFORD CONSERVATION COMMISSION
Minutes of Meeting
November 14, 2012
Selectmen's Conference Room
Town Hall, Bedford, MA

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

The meeting was called to order at 7:00 pm. Mr. Gray read the Public Record Statement as approved by Town Counsel on 9/10/12.

Request for Determination of Applicability: Middlesex Turnpike/ Albion Road

A motion was made and seconded to waive the reading of the public notice. The motion passed 7-0-0. Mr. Jeff Harrington was present before the Commission on behalf of the applicant to discuss the proposed trenching and installation of 220 feet of forty four inch conduit from existing Verizon telephone poles 53A to 52 along Middlesex Turnpike within the 100-foot buffer zone to bordering vegetated wetland. The project is located along Middlesex Turnpike near Albion Road. All work is to take place within the existing pavement.

A motion was made by Mr. Smith and seconded by Mr. Uthoff to issue a positive Determination for reason five and a negative Determination for reason three. The motion passed 7-0-0. The Determination was then signed.

Request for Determination of Applicability: 358 Concord Road

Dr. Wirth recused himself as he was the applicant. A motion was made and seconded to waive the reading of the public notice. The motion passed 6-0-0. Dr. Wirth was present before the Commission to discuss the proposed removal of a deck and concrete landing and the construction of two small decks within the 100-foot buffer zone to bordering vegetated wetland.

A motion was made by Mr. Uthoff and seconded by Mr. Willson to issue a positive Determination for reason five and a negative Determination for reason three. The motion passed 6-0-0. The Determination was then signed. Ms. Bagdonas asked that Dr. Wirth submit photographs once the project is complete.

Request for Determination of Applicability: 4 Madel Lane

A motion was made and seconded to waive the reading of the public notice. The motion passed 7-0-0. Mr. Rich Kirby of LEC was present before the Commission on behalf of the applicant to discuss the proposed reconfiguring of two entryways and exterior home improvements within the 100-foot buffer zones to bordering land subject to flooding and bordering vegetated wetland. Mr. Kirby stated that he would like the wetland boundary approved. The entryways will increase impervious area by 31 square feet but that area will be compensated for by the removal of 31 square feet of driveway; keeping the existing impervious calculations at 26%. Ms. Bagdonas stated that there has been some dumping of yard waste within the buffer and asked the Commission to include a condition stating that there should be no dumping of yard waste within the 25-foot buffer zone to bordering vegetated wetland.

A motion was made by Mr. Uthoff and seconded by Dr. Wirth to issue a positive Determination for reason five and a negative Determination for reason three. The motion passed 7-0-0. The Determination was then signed.

A motion was made by Mr. Smith and seconded by Mr. Willson to enter into Executive Session returning to Regular Session. The motion carried 5-2-0 as follows: Allan Wirth, aye; Andreas Uthoff, no; John Willson, aye; Tim Gray, no; Art Smith, aye; Lori Eggert, aye; Steven Hagan, aye. Mr. Hagan stated that the Commission entered into Executive Session under the advice of Town Counsel.

Bills Payable:

A motion was made by Mr. Smith and seconded by Mr. Uthoff to issue payment to Lewis Putney in the amount of \$40.00 for the delivery of an Enforcement Order to Jack Bellan and Sonny Ferrante regarding 17 Hemlock. The motion passed 7-0-0, after which the bills payable form was signed.

The Commission discussed sending a letter to Mr. Ferrante informing him that the Commission is recording the Enforcement Order at the Registry of Deeds. Ms. Bagdonas will talk to Town Counsel about the letter to be sent.

Certificate of Compliance: 114 Concord Road

A motion was made by Mr. Smith and seconded by Mr. Uthoff to issue the Certificate of Compliance for 114 Concord Road. The motion passed 7-0-0, after which the Certificate of Compliance was signed.

Filing Requirements: 301 Great Road

Ms. Ide stated that she spoke with the consultant for Chipotle Mexican Grill. The consultant will be coming in with an Abbreviated Notice of Intent for the meeting of December 12, 2012.

Trails Endorsement:

Mr. Gray explained to the Commission that the Trails Committee would like a formal endorsement of its proposed circuit trail and trail markers. The Commission agreed that they endorse it in spirit but cannot formally endorse it until they have a formal proposed project before them.

Minutes:

A motion was made by Mr. Uthoff and seconded by Mr. Smith to approve the minutes of October 17, 2012 as written. The motion passed 7-0-0.

A motion was made by Mr. Smith and seconded by Mr. Willson to approve the minutes of October 24, 2012. The motion passed 4-3-0, with Ms. Eggert, Mr. Uthoff and Mr. Gray abstaining due to their absence at the meeting of October 24, 2012.

Town Campus Bog Bridges:

Ms. Bagdonas will check the Annual Report to verify that a bog bridge was proposed in the Mudge Way/Railroad Avenue area.

12 Paul Revere Road OOC:

Ms. Bagdonas explained that the owner of 12 Paul Revere Road had some questions about the Order of Conditions that was recently issued to him and whether certain conditions will apply to his project. The Commission agreed that Ms. Bagdonas could disregard certain conditions within the Order if she felt that they did not apply.

Lantern Lane Bridge:

Ms. Bagdonas will work on the RFP for the Lantern Lane Bridge with Ms. St. John of the Department of Public Works and inform the Commission of any progress.

A motion was made by and seconded by to adjourn the meeting. The motion passed 7-0-0, adjourning the meeting.

Meeting adjourned at 8:45 p.m.

Minutes prepared by Stephanie Ide.

Minutes approved at meeting of December 12, 2012.