

**BEDFORD CONSERVATION COMMISSION**

**Minutes of Meeting**

**March 12, 2014**

**Selectmen's Meeting Room**

**Town Hall, Bedford, MA**

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

**ABSENT:** Allan Wirth, Clerk; John Britton; Tim Gray

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

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

**Land Acquisition Parcel Recommendation**

Ms. Bagdonas stated that the Town of Bedford has been interested in purchasing the land at 340 A Concord Road for many years and would like to put it on their preapproved Land Acquisition list to purchase if it ever becomes available. A vote of the Commission is needed as well as approval at Town Meeting.

A motion was made by Mr. Uthoff and seconded by Ms. Eggert to recommend that 340 A Concord Road be placed on the preapproved Land Acquisition list for approval to purchase from the Community Preservation Fund if the property becomes available. The motion passed 4-0-0.

**Public Hearing – Notice of Intent: Middlesex Turnpike**

A motion was made and seconded to waive the reading of the public notice. The motion passed 4-0-0. Mr. Gene Crouch of Vanasse Hangen Brustlin, Inc. and Ms. Susan McArthur of the Massachusetts Department of Transportation (Mass DOT) were present before the Commission to discuss the proposed expansion of Middlesex Turnpike from a two-lane to a four-lane highway, from the southern side of the Shawsheen River corridor northwest to the Bedford/Billerica town line. The proposed project will take place within Bank, Land Under Water Body and Waterway, Bordering Vegetated Wetland, Bordering Land Subject to Flooding, and the Riverfront Area to the Shawsheen River.

Mr. Crouch stated that Mass DOT is requesting a denial from the Commission for the proposed phase three of the Middlesex Turnpike expansion project as it does not meet the law. Once a denial is issued by the Commission Mass DOT will request a Superseding Order of Conditions from the Department of Environmental Protection (DEP). DEP will also deny the request for a Superseding Order. At that point Mass DOT can seek a variance. Mr. Crouch began his PowerPoint presentation.

The project consists of going from a two lane highway to a 3 lane highway with sidewalks. Mass DOT is proposing to construct retaining walls in a few areas closer to wetlands to better protect them. Ms. Bagdonas stated that a construction description should be required and asked how dewatering will take place. Mr. Crouch said that dewatering will be an issue due to the lack of space. Ms. Bagdonas requested that the applicant provide the Commission with a list of variances they will be seeking from the state. Ms. Bagdonas requested that the letter from the Division of Fisheries and Wildlife dated September 29, 1999, a map provided to the Commission and Ms. Bagdonas' review of Notice of Intent – Middlesex Turnpike Expansion dated March 11, 2014 to be included in the public record. The Commission agreed to enter the documents into the public record.

Ms. Eggert asked when the project is set to start. Ms. McArthur stated approximately January of 2016. Mr. Crouch stated that there will be an approximate 11,000 square foot impact on wetlands. Mr. Willson stated that there is a legitimate need to protect the bridal shiner in Vine Brook and the Shawsheen River as well as the Vernal Pools. Mr. Crouch explained the construction of the box culverts within the Shawsheen River which will replace the existing metal culverts. The box culverts will be made of concrete which will be embedded in the river so that natural sediment and vegetation within the river can occur, ultimately providing better habitat for the bridal shiners.

Ms. Bagdonas explained the importance of receiving monitoring reports from Mass DOT during construction and reviewed her memo dated March 11, 2014 with the Commission and applicant. She stressed the importance of evaluating Wetland 15.

A motion was made by Mr. Uthoff and seconded by Mr. Willson to continue the public hearing with the applicant's permission to the meeting of April 9, 2014. The motion passed 4-0-0.

*A motion was made by Mr. Uthoff and seconded by Mr. Willson to adjourn the meeting. The motion passed 7-0-0 adjourning the meeting.*

*The meeting was adjourned at 9:15 pm.*

*The minutes were prepared by Stephanie Ide.*

*The minutes were approved at the meeting of April 9, 2014.*