

**BEDFORD CONSERVATION COMMISSION**  
**Minutes of Meeting**  
**June 11, 2014**  
**Selectmen's Meeting Room**  
**Town Hall, Bedford, MA**

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

**ABSENT:** Lori Eggert

The meeting was called to order at 6:30 pm.

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

**Massport:**

**Emergency Certification: L.G. Hanscom Field – Massport**

Mr. Jim Stolecki of the Massachusetts Port Authority (Massport) was present before the Commission to discuss the plane crash at Hanscom Field at the end of runway 11-29 which occurred on Saturday, May 31, 2014. The aircraft was a Gulfstream 4 which never made it off the runway. The aircraft skidded 750 feet into the bank of the Shawsheen River. The aircraft had the capacity to hold 1,500 gallons of jet fuel and the majority of fuel burned off during the fire but a significant amount of fuel did spill into the Shawsheen River. Massachusetts Department of Environmental Protection responded immediately. The Clean Harbors crew deployed Absorbent Booms and Pads. A strong odor of petroleum was detected in the river by Sun Valley Subs on Summer Street in the early hours of Sunday, June 1, 2014 and at 4:30 am another boom was deployed near Summer Street. By 6:30 am Sunday morning there was no fuel smell or sheen detected by Toxicon. An estimation of a couple hundred gallons of jet fuel was removed from the River with booms and pads thus far. There were 7 containment booms deployed, 2 containment booms will be maintained as well as 2 siltation curtains which will remain in place until the crash area is stabilized. The area is sensitive to rain events and will be monitored daily by the Clean Harbor Crew. A 100 foot by 60 foot area of vegetation burned at the crash site and there is petroleum in the soil in two areas. Soil will be removed and replaced in the contaminated areas. Valley Crest Landscaping will be doing the restoration work and the area will be loamed and seeded with a wetland mix. Jute matting will be placed to stabilize the plantings on the banks of the Shawsheen River. Mr. Roy Sorenson will to the water quality sampling which will take place on June 13, 2014 or June 16, 2014.

Mr. Britton asked about the impact the foam used to fight the fire had on the water. Mr. Stolecki stated that the foam is biodegradable. The recovery of the aircraft was

completed on Sunday, June 8, 2014 and the aircraft was moved to Delaware. Mr. Stolecki stated that Massport is seeking an Emergency Certification which would be good for 60 days and that if necessary would file a Notice of Intent. Mr. Stolecki also stated that Massport is requesting that the installation of conduit under the Shawsheen River be included in the Emergency Certification. The conduit is necessary to replace a safety light that was damaged during the accident.

A motion was made by Mr. Uthoff and seconded by Mr. Gray to ratify the Emergency Certification. The motion passed 6-0-0, after which it was signed.

#### **Request for Determination of Applicability: 62A Sweetwater Ave. & 371 North Rd.**

A motion was made and seconded to waive the reading of the public notice. The motion passed 6-0-0. Ms. Adrienne St. John and Ms. Kristin Dowdy of the Town of Bedford Department of Public Works (DPW) were both present before the Commission on behalf of the Town of Bedford Trails Committee to discuss a proposed new trail that will connect the Narrow Gauge Rail Trail to North Road through the Buehler Ponds Conservation Area and the Job Lane School parcel. The project will also include the installation of sign posts on either end of the new trails. A portion of the work is within the 100-foot buffer zone to bordering vegetated wetland. Ms. Dowdy stated that this will be a great connection between North Road and Springs Road.

A motion was made by Mr. Gray and seconded by Mr. Uthoff to issue a negative Determination for reason three and a positive Determination for reason five with the condition that the Commission walk the proposed trail location prior to construction. The motion passed 6-0-0, after which the Determination was signed.

#### **Public Hearing – Notice of Intent: 14 Donovan Drive & 4 Copeland Drive**

A motion was made and seconded to waive the reading of the public notice. The motion passed 6-0-0. Ms. Adrienne St. John and Ms. Kristin Dowdy of the Town of Bedford Department of Public Works (DPW) were both present before the Commission on behalf of the Town of Bedford Trails Committee to discuss the proposed new walking trail at 14 Donovan Drive for access to the Governor Winthrop Conservation Area and the Narrow Gauge Rail Trail, and the installation of bog bridges and a sign post on an existing trail in the Governor Winthrop Conservation Area. The project will take place within Bordering Vegetated Wetlands and the 100-foot buffer zone to Bordering Vegetated Wetland. Ms. Dowdy stated that the proposed trail is within wetland and will require a bog bridge.

A motion was made by Mr. Uthoff and seconded by Mr. Gray to close the public hearing. The motion passed 6-0-0. The Order of Conditions will be discussed at the meeting of June 25, 2014.

#### **Public Hearing – Notice of Intent: 1 & 7 Old Billerica Road**

A motion was made and seconded to waive the reading of the public notice. The motion passed 6-0-0. Ms. Adrienne St. John and Ms. Kristin Dowdy of the Town of Bedford Department of Public Works were present before the Commission to discuss the

proposed relocation of a portion of the existing sewer pump station driveway within Riverfront Area to the Shaw sheen River and Spring Brook, Bordering Land Subject to Flooding and the 100-foot buffer zones to Bordering Land Subject to Flooding and Bordering Vegetated Wetland. Ms. St. John stated that the proposed project involves the relocation of the existing asphalt driveway at the Page Road Sewer Pump Station moving it further from the Shawsheen River. The existing driveway is 11 ½ feet wide and the proposed driveway is 10 feet wide. The Commission agreed that the relocation is an improvement to Riverfront Area.

A motion was made by Mr. Uthoff and seconded by Mr. Britton to close the public hearing. The motion passed 6-0-0. The Order of Conditions will be discussed at the meeting of June 25, 2014.

#### **Request for Determination of Applicability: 7 Lido Lane**

A motion was made and seconded to waive the reading of the public notice. The motion passed 6-0-0. Mr. Dave Ellis of Dave Ellis Construction was present before the Commission with homeowners Karen Sturzenacker & Scott MacKenzie to discuss the proposed construction of an addition and deck within the 100-foot buffer zone to bordering vegetated wetland.

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

#### **Request for Determination of Applicability: 50 Hancock Street**

A motion was made and seconded to waive the reading of the public notice. The motion passed 6-0-0. Mr. Andrew & Ms. Lucille Wilson were present before the Commission to discuss the proposed removal of an existing porch and construction of stairs with a roof within the 100-foot buffer zone to bordering vegetated wetland.

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

#### **Request for Determination of Applicability: 10 Fern Way**

A motion was made and seconded to waive the reading of the public notice. The motion passed 6-0-0. Mr. Carl & Ms. Maureen Valente were present before the Commission to discuss the proposed demo of existing stairs and construction of a covered porch with stairs within the 100-foot buffer zone to bordering vegetated wetland.

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

#### **Request for Determination of Applicability: 8 Sheridan Road**

A motion was made and seconded to waive the reading of the public notice. The motion passed 6-0-0. Mr. Scott Jones of Westchester Modular Homes of Greater Boston, Inc. was present before the Commission on behalf of Mr. Kurt Kreiter; also present, to discuss the proposed Construction of a single family home, driveway, utility connections and site grading within the 100-foot buffer zone to bordering vegetated wetland.

A motion was made by Mr. Gray and seconded by Mr. Uthoff to issue a negative Determination for reason three and a positive Determination for reason five contingent upon receipt of a new plan showing the correct impervious surface calculations. The motion passed 6-0-0, after which the Determination was signed.

### **Enforcement: 15 Temple Terrace**

Ms. Bagdonas explained that she had contacted the owners of 15 Temple Terrace regarding the cutting of two to three trees on the property without the approval of the Conservation Commission. Ms. Bagdonas believes that the trees are located near or in the 25-foot buffer zone to bordering vegetated wetland. Ms. Bagdonas has not heard back from the owners and asked the Commission how they would like to proceed. The Commission would like Ms. Bagdonas to write the owner a letter explaining the violation and if no response from the owner is received to issue an Enforcement Order.

### **Bills Payable:**

A motion was made by Mr. Uthoff and seconded by Mr. Gray to approve and issue payment to Oxbow Gardens in the amount of \$150.00 from the Jordan Gardens Account for lawn services on May 13, 2014, May 25, 2014 and June 3, 2014. The motion passed 6-0-0, after which the bills payable form was signed.

A motion was made by Mr. Uthoff and seconded by Mr. Hagan to approve and issue payment to Community Newspaper Co. in the amount of \$59.15 from the Conservation Fund for a Notice of Intent legal notice for a trail near 10 Old Middlesex Road. The motion passed 6-0-0, after which the bills payable form was signed.

A motion was made by Mr. Uthoff and seconded by Mr. Britton to approve and issue payment to Elizabeth Bagdonas in the amount of \$75.00 from the Conservation Fund for the recording of the Order of Conditions at the Registry of Deeds for the trail located near 10 Old Middlesex Road. The motion passed 5-0-1, with Mr. Gray voting against citing a lack of information.

### **Minutes:**

A motion was made by Mr. Uthoff and seconded by Mr. Britton to approve the minutes of May 14, 2014 as written. The motion passed 5-1-0, with Mr. Gray abstaining.

### **Huckins Farm Letter:**

A motion was made by Mr. Uthoff and seconded by Mr. Gray to approve and send the letter regarding the Huckins Farm Trails as written. The motion passed 6-0-0.

**Order of Conditions: 398 Davis Road #103-0762**

The Commission reviewed the Bylaw and discussed including a finding tied to the wetland regulation that refers to the filling of a wetland. The regulation allows up to 500 square feet of wetland filling and the Commission would like to make it clear that the application meets the state standard. The Commission would also like to include a finding that states that the wetland finger was created by sump pump drainage from the neighboring property which has created a hardship to the owner of the property. The Commission discussed the replication area plan and would like to include a finding that states that they accept the replication plan as compensation for the filling of 500 square feet of wetland but that the elevation in the replication area must be lowered. The Commission would like to include a finding that stated that the applicant is not proposing any structures within the 50-foot buffer to bordering vegetated wetland and that the 25-foot buffer is not currently in a natural state but the applicant has proposed a restoration area within the 25-foot buffer zone.

The Commission would like to include the standard conditions within the Order of Conditions as they are written in the residential model. Special conditions were discussed and the Commission would like to include the following conditions:

1. Prior to construction the applicant must submit a detailed restoration plan which should include elevations.
2. Mowing should only occur once a year in the area that was proposed to be mowed on the approved plan.
3. All loam used on the property must be screened and approved by the Commission.
4. No ABC materials shall be used on the site.

A motion was made by Mr. Gray and seconded by Mr. Britton to issue the Order of Conditions as discussed. The motion passed 6-0-0, after which the Order of Conditions was signed.

*A motion was made by Mr. Gray and seconded by Mr. Britton to adjourn the meeting. The motion passed 6-0-0 adjourning the meeting.*

*The meeting was adjourned at 9:57 pm.*

*The minutes were prepared by Stephanie Ide.*

*The minutes were approved at the meeting of August 27, 2014.*