

BEDFORD CONSERVATION COMMISSION
Minutes of Meeting
June 13, 2012
Selectmen's Conference Room
Town Hall, Bedford, MA

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

ABSENT: Allan Wirth; Elizabeth Bagdonas, Conservation Administrator

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

Request for Determination of Applicability: 1 Sherman Lane

A motion was made and seconded to waive the reading of the public notice. The motion passed 6-0-0. Mr. Glen & Carol Legere were present before the Commission to discuss the proposed replacement of the existing asphalt driveway with a pervious driveway, replacement of the existing concrete walkway with a pervious walkway, installation of a fence and landscaping within the 100-foot buffer zone to bordering vegetated wetland. The Commission discussed the proposed plantings within a portion of the 25-foot buffer located on the left side of the property and explained to the homeowners that the 25-foot buffer is to remain in a natural state. The Commission explained that although the buffer is to remain in a natural state the Commission does favor the control of invasives within the 25-foot buffer.

A motion was made by Mr. Uthoff and seconded by Mr. Hagan to issue a positive Determination for reason five and a negative Determination for reason three with the following condition:

A representative of the Commission shall verify invasives within the 25-foot buffer to bordering vegetated wetland proposed to be removed and approve the plantings that will replace the invasives removed.

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

Public Hearing - Notice of Intent: 26 Battle Flagg Road

A motion was made and seconded to waive the reading of the public notice. The motion passed 6-0-0. Mr. Rich Kirby of LEC Environmental and Mr. Jay Muelhoefer, homeowner, were present before the Commission to discuss the proposed removal of trees and shrubs, adjustment of grades to create lawn, masonry walls and walkway, landscape lighting, crushed stone parking area and new plantings within the 100-foot buffer zone to bordering vegetated wetland. Mr. Gray asked if the proposed retaining wall could be moved

outside of the 25-foot buffer to bordering vegetated wetland. Mr. Kirby presented the Commission with a new plan which locates the proposed retaining wall on the opposite side of the yard and 26 feet away from the wetland.

A motion was made by Mr. Smith and seconded by Mr. Uthoff to close the public hearing. The motion passed 6-0-0. The Order of Conditions will be discussed at the meeting of June 27, 2012.

160 Middlesex Turnpike:

Mr. Mark Piermarini of Hamwey Engineering Inc. was present on behalf of FW Webb Company to request a minor change to the Order of Conditions for 160 Middlesex Turnpike, to present the erosion and sedimentation control plan and for the Commission approval of the environmental site supervisor. Mr. Piermarini stated that FW Webb would like to install a generator pad on the site outside of the 50-foot buffer to bvw. A motion was made by Mr. Uthoff and seconded by Mr. Smith to approve the installation of the generator pad as a minor change. The motion passed 6-0-0. Mr. Piermarini requested that the Commission approve Project Superintendent, Steve Tsoukalas, as the environmental site supervisor for the site. A motion was made by Mr. Smith and seconded by Mr. Uthoff to approve Mr. Tsoukalas as the environmental site supervisor. The motion passed 5-1-0, with Mr. Willson voting against.

Certificate of Compliance: 35 Crosby Drive

A motion was made by Mr. Smith and seconded by Mr. Uthoff to reissue the Certificate of Compliance for 35 Crosby Drive. The motion passed 6-0-0, after which it was signed.

Bills Payable:

A motion was made by Mr. Uthoff and seconded by Mr. Smith to issue payment to Oxbow Gardens in the amount of \$750.00 from the Jordan Gardens Account for the removal of a tree, chipping up a hard wood brush pile and the removal of one large dump truck load of debris at Jordan Gardens. The motion passed 6-0-0, after which the bills payable form was signed.

Trail Signs:

Mr. Gray explained to the Commission that the Trails Committee offered to fund permanent signs in Conservation Areas not to exceed \$1000.00. The signs will state that motorized vehicles are not allowed on trails and in Conservation Areas. The signs will be posted on kiosks and at trail heads with the Commission's permission. A motion was made by Mr. Smith and seconded by Mr. Uthoff to allow the posting of permanent signs by the Trails Committee. The motion passed 6-0-0.

Request for Determination of Applicability: 202 Burlington Road

A motion was made and seconded to waive the reading of the public notice. The motion passed 6-0-0. Ms. Pamela Brown of Brown & Brown, Mr. Mike Larimore of Mabbett & Associates and Mr. John Sewell of MITRE were present before the Commission to discuss the proposed removal of pavement, parking lot reconfiguration, drainage system adjustment and landscaping within the 100-foot buffer zones to the 100-year floodplain and bordering vegetated wetland at MITRE. Ms. Brown presented the Commission with two copies of revised plans as requested.

A motion was made by Mr. Uthoff and seconded by Mr. Smith 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: 3 Sorens Way

A motion was made and seconded to waive the reading of the public notice. The motion passed 6-0-0. Ms. Pamela Brown of Brown & Brown was present before the Commission on behalf of Maria Cronin for the proposed construction of a deck within the 100-foot buffer zone to bordering vegetated wetland.

A motion was made by Mr. Smith 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.

Application Deadline:

Mr. Smith requested that the Commission discuss setting a firm application deadline. A motion was made by Mr. Uthoff and seconded by Mr. Willson to require an application deadline of 1:00 pm firm, two weeks prior to a meeting of the Commission. The motion passed 6-0-0.

Public Hearing – Notice of Intent: 202 Burlington Road

A motion was made and seconded to waive the reading of the public notice. The motion passed 6-0-0. Ms. Pamela Brown of Brown & Brown, Mr. Mike Larimore of Mabbett & Associates and Mr. John Sewell of MITRE were present before the Commission to discuss the proposed installation of a replacement irrigation line within bank to no name brook, land subject to flooding and bordering vegetated wetland. The Commission reviewed the plan.

A motion was made by Mr. Uthoff and seconded by Mr. Smith to close the public hearing. The motion passed 6-0-0. The Order of Conditions will be discussed at the meeting of June 27, 2012.

Ms. Eggert left the meeting.

Conservation Commission Agenda:

The Commission discussed reconfiguring the agenda to better utilize time. A motion was made by Mr. Uthoff and seconded by Mr. Smith to schedule all incoming application requests for 15 minute increments on the agenda explaining to the applicant that they can be continued to the end of the agenda or to the next scheduled meeting of the Commission. The motion passed 4-1-0 with Mr. Willson voting against.

Orders of Conditions:

A general discussion took place between members of the Commission and Ms. Brown regarding Orders of Conditions. Mr. Hagan stated that the Commission is trying to streamline their Orders of Conditions with the goal of preparing a library of conditions for applicants to be able to view online. Ms. Brown stated that she would be willing to assist the Commission in their review of the Orders of Conditions and make recommendations on which conditions should be revised and those that should be removed.

Public Hearing – Notice of Intent: 5 Alfred Circle

A motion was made and seconded to waive the reading of the public notice. The motion passed 5-0-0. Mr. Mike Larimore of Mabbett & Associates, Inc. and Ms. Pamela Brown of Brown & Brown were present before the Commission on behalf of Arthur Mabbett to discuss the proposed repaving of existing parking areas, the removal of a portion of existing pavement and stormwater management upgrades within the riverfront area to Elm Brook, bordering land subject to flooding and the 100-foot buffer zone to bordering vegetated wetland. The Commission reviewed the Department of Public Works comments on the project.

A motion was made by Mr. Uthoff and seconded by Mr. Willson to close the public hearing. The motion passed 5-0-0. The Order of Conditions will be discussed at the meeting of June 27, 2012.

Conservation Commission Agenda:

A motion was made by Mr. Uthoff and seconded by Mr. Smith to rescind the Commissions previous vote about changing the Agenda. The motion passed 5-0-0.

A motion was made by Mr. Uthoff and seconded by Mr. Smith to schedule all agenda items at 7:00 pm. The motion passed 5-0-0.

MACC Courses:

A motion was made by Mr. Uthoff and seconded by Mr. Hagan to fund and allow Ms. Ide to take all remaining MACC courses online. The motion passed 5-0-0.

Public Hearing – Notice of Intent: 340 Concord Road

A motion was made and seconded to waive the reading of the public notice. The motion passed 5-0-0. Mr. Ben Osgood of Pennoni Associates and Mr. Paul Markus were present before the Commission to discuss the proposed demolition of an existing house and the construction of a new single family home and driveway within the 100-foot buffer zone to bordering vegetated wetland. Mr. Markus explained that the current impervious surface calculations for the site are at 33% and will be reduced to 24%. A rain garden is also proposed on the property closest to Concord Road. The Commission discussed the driveway connection being within the 25-foot buffer zone to a relocated wetland.

A motion was made by Mr. Smith and seconded by Mr. Uthoff to close the public hearing. The motion passed 5-0-0. The Order of Conditions will be discussed at the meeting of June 27, 2012.

A motion was made by Mr. Uthoff and seconded by Mr. Smith to adjourn the meeting. The motion passed 5-0-0.

Meeting adjourned at 9:25 p.m.

Minutes prepared by Stephanie Ide.

Minutes approved at meeting of July 11, 2012.