

BEDFORD CONSERVATION COMMISSION

Minutes of Meeting

July 24, 2013

Selectmen's Conference Room

Town Hall, Bedford, MA

PRESENT: John Willson, Vice-Chair; Allan Wirth, Clerk; Andreas Uthoff; Tim Gray;
Lori Eggert
Stephanie Ide, Conservation Department Assistant

ABSENT: Steven Hagan, Chair; Elizabeth Bagdonas, Conservation Administrator

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

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

Fawn Lake: DPW

Ms. Adrienne St. John and Ms. Kristin Dowdy of the Department of Public Works were present before the Commission to discuss brush cutting that had taken place at Fawn Lake. Ms. St. John explained that the DPW received a phone call from a concerned resident that furniture had been placed along the edge of Fawn Lake without the Commission's approval. Mr. Dennis Freeman, Grounds Manager for the Department of Public Works, sent the grounds crew over to Fawn Lake to remove the furniture and cut the tall brush with DPW's brush cutter. It was a miscommunication and Ms. St. John apologized for the error. DPW has since received two proposals from New England Environmental to rectify the situation. Hiring New England Environmental will require a request for funding from the Community Preservation Fund. If funding is approved the Commission could choose between removing all of the existing vegetation and implementing a landscaped plan or just the removal of invasive species. Ms. St. John stated that if you were to go out to Fawn Lake now you would be unable to tell that the cutting had happened because everything has grown back. A third option would be to leave it the way it is now and periodically mow the brush down to a height of 2-3 feet.

A motion was made by Mr. Uthoff and seconded by Mr. Gray to request CPC funding. The motion passed 5-0-0.

Request for Determination of Applicability: Elm Street & Rodney Road

A motion was made by Mr. Gray and seconded by Mr. Uthoff to waive the reading of the notice. The motion passed 5-0-0. Ms. Adrienne St. John and Ms. Kristin Dowdy of the Department of Public Works were present before the Commission to discuss the proposed street paving within the 100-foot buffer zone to bordering vegetated wetland. The proposed project locations are Hillside Avenue, Hancock Street, Hamilton Road, Hunt Road, Bandera Drive and a portion of Springs Road and Wayte Road. Ms. Dowdy stated that the paving project was approved at Town Meeting and will make significant improvements.

Improvements will include a 2000 square foot reduction of pavement on Elm Street and drainage improvements. A storm water dissipator will be installed on Elm Street.

A motion was made by Mr. Uthoff and seconded by Mr. Gray to issue a negative Determination for reason three and a positive Determination for reason five. The motion passed 5-0-0, after which it was signed.

Request for Determination of Applicability: 23 Temple Terrace

A motion was made by Mr. Uthoff and seconded by Mr. Gray to waive the reading of the notice. The motion passed 5-0-0. Ms. Sophie Hamann and Ms. Jan Mendenhall were present before the Commission to discuss the proposed installation of a fence within the 100-foot buffer zone to bordering vegetated wetland.

A motion was made by Mr. Uthoff and seconded by Mr. Wirth to issue a negative Determination for reason three and a positive Determination for reason five. The motion passed 5-0-0, after which it was signed.

Request for Determination of Applicability: 2 Lavender Lane

A motion was made by Mr. Uthoff and seconded by Ms. Eggert to waive the reading of the notice. The motion passed 5-0-0. Mr. Paul Marcus was present before the Commission to discuss the proposed installation of a fence within the 100-foot buffer zone to bordering vegetated wetland.

A motion was made by Mr. Uthoff and seconded by Mr. Gray to issue a negative Determination for reason three and a positive Determination for reason five. The motion passed 5-0-0, after which it was signed.

Public Hearing – Notice of Intent: 41-43 Concord Road

A motion was made by Mr. Uthoff and seconded by Mr. Gray to waive the reading of the notice. The motion passed 5-0-0. Ms. Pamela Brown of Brown and Brown, PC was present before the Commission on behalf of Ann Kiessling to discuss the proposed construction of a single family dwelling within the 100-foot buffer zone to bordering vegetated wetland. Ms. Brown stated that the proposed impervious surface calculations for the lot will total 3.64%. The Commission discussed the proposed compensation area. Ms. Brown presented the Commission with a new plan proposing an additional compensation area in the rear of the barn. Ms. Brown stated that the applicant proposes to plant blueberry bushes along the 25 foot buffer. Mr. Gray explained that he is concerned about the additional traffic on the driveway and suggests moving the driveway further away from the wetland. Mr. Uthoff stated that he does not see a problem with the driveway.

A motion was made by Mr. Uthoff and seconded by Mr. Wirth to close the public hearing. The motion passed 4-0-1 with Ms. Eggert voting against. Ms. Brown will provide the Commission with an exhibit showing the additional compensation area as discussed prior to the Commission discussing the Order of Conditions. The Order of Conditions will be discussed at the meeting of August 14, 2013.

Public Hearing – Notice of Intent: 241 Davis Road

Mr. Wirth read the public notice. Mr. Robert and Ms. Catherine Nunes were present before the Commission to discuss the proposed removal of fill within Bordering Land Subject to Flooding and the 100-foot buffer zone to Bordering Vegetated Wetland. A notice of Intent was filed after Mr. and Mrs. Nunes became aware that they were not allowed to fill a small area of land located in the flood plain after receiving a call from Ms. Bagdonas. Mr. and Mrs. Nunes would like to remove the fill that they placed in the small depression in their yard.

A motion was made by Mr. Uthoff and seconded by Mr. Gray to close the public hearing. The motion passed 5-0-0.

Public Hearing – Notice of Intent: Route 3NB at Ramp 62B

Ms. Andrea Norton of the Massachusetts Department of Transportation, Highway Division was present before the Commission to discuss the proposed routine maintenance and repair of existing roadway embankment along a section of Route 3 NB at ramp 62B within bordering land subject to flooding, riverfront area to Vine Brook and bordering vegetated wetland. Ms. Norton explained that they are proposing two staging areas and a temporary access path during the repair work of the failing slope. The Commission discussed the importance of a proper erosion control plan to protect Vine Brook and explained that they recently found out that a rare species, the bridal shiner, inhabits Vine Brook. The Commission also discussed the importance of having an Environmental Site Supervisor for the project.

A motion was made by Mr. Gray 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 August 14, 2013.

Public Hearing – Notice of Intent: 11 Elm Brook Road

A motion was made by Mr. Wirth and seconded by Mr. Uthoff to waive the reading of the public notice. The motion passed 5-0-0. Mr. Dan Wells of Goddard Consulting, LLC was present before the Commission on behalf of Ms. Lizbeth Stang to discuss the proposed demolition of the existing house and construction of a new house. The proposed project will take place within the Riverfront Area to Elm Brook and within the 100-foot buffer zones to Bordering Vegetated Wetland and Bordering Land Subject to Flooding. A site visit was not conducted and a review of the delineation needs to be completed.

A motion was made by Mr. Gray and seconded by Mr. Uthoff to continue the public hearing with the permission of the applicant's representative to the meeting of August 14, 2013. The motion passed 5-0-0.

Bills Payable:

A motion was made By Mr. Uthoff and seconded Mr. Wirth to issue payment to GateHouse Media for the legal notice of Old Causeway Road. The Motion passed 5-0-0, after which the bills payable form was signed.

Certificate of Compliance: 18 Balsam Drive

A motion was made by Mr. Gray and seconded by Mr. Uthoff to reissue a Certificate of Compliance for 18 Balsam Drive. The motion passed 5-0-0, after which it was signed.

Trails Committee Member:

Mr. Gray stated that he would be willing to stay on the Trails Committee. A motion was made by Ms. Eggert and seconded by Mr. Willson to reappoint Mr. Gray to the Trails Committee. The motion passed 4-0-0.

Minutes:

A motion was made by Mr. Uthoff and seconded by Mr. Gray to approve the minutes of July 2, 2013 as written. The motion passed 5-0-0.

A motion was made by Mr. Gray and seconded by Mr. Wirth to approve the minutes of July 10, 2013. The motion passed 5-0-0.

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

Meeting was adjourned at 8:35 pm.

Minutes were prepared by Stephanie Ide.

Minutes were approved at the meeting of September 25, 2013.