

BEDFORD CONSERVATION COMMISSION
Minutes of Meeting
August 24, 2016
Selectmen's Meeting Room
Town Hall, Bedford, MA

PRESENT: John Britton, Vice-Chair; Allan Wirth; Lori Eggert; Tim Gray
Elizabeth Bagdonas, Conservation Administrator
Stephanie Ide, Conservation Department Assistant

ABSENT: Steven Hagan, Chair; Joseph Guardino, Clerk; Andreas Uthoff

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

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

Request for Determination of Applicability: 29 Railroad Avenue

A motion was made and seconded to waive the reading of the public notice. The motion passed 4-0-0. Mr. Nirav Patel and Mrs. Madhavi Patel were present before the Commission to discuss the proposed lawn repair within the 100-foot buffer zone to bordering vegetated wetland. Mr. Patel stated that there are two clusters of shrubs to be removed in front of the house and replaced as well as the front lawn repair. The Commission discussed the wetland on the property. Ms. Bagdonas stated that she believes the wetland doesn't extend as far out as depicted on the town map and the applicant can have the wetland reviewed in the spring prior to filing a second Determination for a patio and the remainder of the lawn repair.

A motion was made by Mr. Wirth and seconded by Mr. Gray to issue a positive Determination for reason five and a negative Determination for reason three. The motion passed 4-0-0, after which the Determination was signed.

Request for Determination of Applicability: 20 Hemlock Lane

A motion was made and seconded to waive the reading of the public notice. The motion passed 4-0-0. Mr. Haifei Ma and Mrs. Hua Chang were present before the Commission to discuss the existing and proposed landscaping, conversion of an existing ramp to stairs and installation of a lawn within the 100-foot buffer zones to bordering vegetated wetland and bordering land subject to flooding and Riverfront Area to the Shawsheen River. Mr. Britton stated that he conducted a site visit on the property and that the lawn was heavily damaged by the heavy equipment that was used for the removal of the pool. The pool removal was approved in a previous Determination but lawn work was not part of that decision. Mr. Ma stated that he had to hire two contractors for the pool removal. The first contractor did not do the job as he was supposed to. The second contractor came in to remove the rest of the pool and in the process damaged the lawn.

A motion was made by Mr. Britton and seconded by Mr. Wirth to issue a positive Determination for reason five and a negative Determination for reason three with the following conditions:

1. Work cannot proceed until the Conservation Commission receives a detailed plan from the contractor.
2. The homeowner will reset the existing erosion control along the back and side fence to protect the wetlands below.
3. The Conservation Commission will hold a site visit with the homeowner and contractor prior to work commencing.
4. The homeowner will submit documentation of the source and quality of the loam to be used prior to the loam being used on the property.
5. With the exception of post-construction hydro-seeding, no blanket applications of herbicides, pesticides, or inorganic chemical fertilizers will be permitted on this site within 100 feet of wetland resource areas. Lime and organic slow-release fertilizer may be used.

The motion passed 4-0-0, after which the Determination was signed.

Enforcement Order: 20 Hemlock Lane

A site visit was conducted by Mr. Britton and Mr. Guardino. A motion was made by Mr. Wirth and seconded by Mr. Gray to ratify the Enforcement Order. The motion passed 4-0-0, after which the Enforcement Order was signed. A motion was made by Mr. Britton and seconded by Mr. Wirth stating that the applicant is in compliance with the Enforcement Order per the Determination that has been filed and issued. The motion passed 4-0-0.

Replacement ORAD: 56 Evergreen Avenue

A motion was made by Mr. Wirth and seconded by Mr. Gray to issue a replacement Order of Resource Area Delineation for 56 Evergreen Avenue. The motion passed 4-0-0, after which the replacement was signed.

Plan Revision: 269 Carlisle Road

The Commission reviewed the plan revisions for 269 Carlisle Road which were discussed at the meeting of August 10, 2016. A motion was made by Mr. Gray and seconded by Mr. Wirth to accept the plan as revised. The motion passed 4-0-0.

Plan Revision: 8 Minuteman Drive

Ms. Bagdonas explained that the applicant would like to add 40 square feet to the bedroom addition which increases the impervious surface by a minimal amount. A motion was made by Mr. Wirth and seconded by Ms. Eggert determining the plan change to be minor, not requiring an Amendment to the Order of Conditions. The motion passed 4-0-0.

Internal Performance Bond:

The process for applicants that are required to submit money to the Town if specified within the Order of Conditions will be to submit a personal check to the Conservation office and filing out a form that has been approved by the Finance Director which details what the money is being held for. The Finance Department will then issue the applicant a refund once the Commission agrees that the condition(s) have been satisfied. A motion was made by Mr. Britton and seconded by Mr. Gray to approve the process and form. The motion passed 4-0-0.

Order of Conditions:

Ms. Bagdonas would like the Commission to include a statement defining the term N/A which is used with the Order of Conditions. The Commission agreed to define N/A as: This condition is not applicable but is subject to revision. Please see special conditions.

Ms. Bagdonas would like an as-built condition included in the standard new house Order of Conditions.

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

The meeting was adjourned at 8:57 p.m.

The minutes were prepared by Stephanie Ide.

The minutes were approved at the meeting September 14, 2016.