

BEDFORD CONSERVATION COMMISSION
Minutes of Meeting
September 9, 2015
Selectmen's Meeting Room
Town Hall, Bedford, MA

PRESENT: Steven Hagan, Chair; John Britton, Vice-Chair; Joseph Guardino, Clerk;
Lori Eggert; Andreas Uthoff; John Willson
Elizabeth Bagdonas, Conservation Administrator
Stephanie Ide, Conservation Department Assistant

ABSENT: Allan Wirth

The meeting was called to order at 7:04 pm.

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

Eagle Scout Project:

Mr. Alex Cancio was present before the Commission to discuss his proposed Eagle Scout Project. The project will consist of three butterfly gardens at the Wilson Mill site. Mr. Cancio will be working with Brian Windmiller whose organization is donating 80 native plants to establish the butterfly gardens. The project will also include the removal of two dead Ash trees and a chunk of asphalt which are within the proposed project areas. The trees will be cut up into small pieces and scattered in the woods. Mr. Wirth said that it sounds like a great project. Mr. Guardino recommended that Mr. Cancio take pictures of the dead trees prior to their removal.

A motion was made by Mr. Willson and seconded by Mr. Wirth to approve the project as presented. The Eagle Scout project was approved 6-0-0.

Request for Determination of Applicability: 21 Sweeney Ridge Road

A motion was made and seconded to waive the reading of the public notice. The motion passed 5-0-0. Mr. Vassilios Tsiaras was present before the Commission to discuss the proposed removal of four trees and construction of a shed within the 100-foot buffer zone to bordering vegetated wetland at 21 Sweeney Ridge Road. Mr. Tsiaras said that the shed will be located approximately 85 feet from the wetland boundary. Ms. Bagdonas informed Mr. Tsiaras that a Conservation Restriction exists on his property that prohibits the disturbance of the 50-foot buffer on the property and gave Mr. Tsiaras a map showing the restriction for future reference.

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

Request for Determination of Applicability: Public Right-of –Ways South Road, Loomis Street and Hartford Street

A motion was made and seconded to waive the reading of the public notice. The motion passed 6-0-0. Mr. Brian LaPierre of Lightship Engineering and Mr. Matt Waldrip of NSTAR were present before the Commission to discuss the proposed installation of 1,480 feet of electrical conduit on portions of the public right of way, installation of two manholes, and the excavation and off-site disposal of 635 cubic yards of soil. The work will take place within the 100-foot buffer zone to bordering vegetated wetland and within the Riverfront Area to Elm Brook. The proposed project locations are South Road, Loomis Street and Hartford Street. 375 feet of conduit will be within the buffer zone to wetland and 200 feet of conduit will run through the 200 foot Riverfront Area.

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

1. The applicant shall notify the Conservation Administrator prior to the start of work.

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

Request for Determination of Applicability: 22 Notre Dame Road

A motion was made and seconded to waive the reading of the public notice. The motion passed 6-0-0. Mr. Peter Marden and Mr. Timothy LaBranche were present before the Commission to discuss the proposed removal of 17 trees, stump grinding, regrading, loaming and hydroseeding for the expansion of lawn within the 100-foot buffer zone to bordering vegetated wetland at 22 Notre Dame Road. Mr. Marden submitted a revised plan showing that the limit of work will be 30 feet from the wetland at its closest point. The delineation was discussed and the Commission agreed to confirm Wetland Flags WF3, WF4, WF5 and WF6. Wetland Flag WF7 is not confirmed in this Determination of Applicability. Its final location is subject to vegetation and soil profile examination within the swale southeast along the property line toward Notre Dame Road.

A motion was made by Mr. Willson and seconded by Mr. Wirth to issue a positive Determination for reasons 2A, 2B and 5 and a negative Determination for reason three with the following conditions:

1. A final site plan with revised wetland flag locations shall be submitted prior to work.
2. Soil profiles SE of Wetland Flag WF7 shall be submitted to the Commission prior to work.
3. If appropriate, a revised plan of WF7, additional flags, and the buffer zone shall be submitted to the Commission prior to work. The limit of work shall be defined in the field by markers.

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

224 Carlisle Road:

A request for the installation of a fence under the previously issued Determination was received by the Conservation office. A motion was made by Mr. Britton and seconded by Mr. Guardino to approve the installation of the fence as a minor modification. The motion did not pass. The vote was 3-3-0, with Ms. Eggert, Mr. Willson and Mr. Wirth voting against. A request for Determination of Applicability will need to be filed with the Commission.

285 Great Road:

Mr. John Hession of EBI Consulting was present before the Commission to discuss an issued Amendment to the Order of Conditions form revision prior to its recording at the Registry of Deeds. Ms. Bagdonas will be making the plan reference revisions on the Amendment form.

A motion was made by Mr. Willson and seconded by Mr. Britton to approve the form revisions. The motion passed 6-0-0.

Continuation of Public Hearing – Notice of Intent: 7 Alcott Street

Mr. Paul Marchionda and Mr. Craig Marchionda of Marchionda & Associates and Mr. Arthur Allen of EcoTec were present on behalf of Mike Welch of Quality Additions, also present, to continue the discussion on the proposed construction of a single family house, driveway and associated utilities within Bordering Land Subject to Flooding, Riverfront Area and the 100-foot buffer zones to Bank, Bordering Land Subject to Flooding, and Bordering Vegetated Wetland at 7 Alcott Street. The Commission reviewed the revised plan which shows the wetland line changes as requested. Mr. Marchionda stated his intent to request a variance of the Commission. Ms. Bagdonas stated that the Commission should request the applicant to continue the public hearing until it receives clarification on whether or not flood compensation for one property can take place on a different property even if owned by the same person, the wildlife habitat evaluation has been received and the 10-year floodplain has been reviewed.

A motion was made by Mr. Britton and seconded by Mr. Guardino to continue the public hearing to the meeting of September 30, 2016. The motion passed 6-0-0.

A motion was made by Mr. Britton and seconded by Mr. Guardino to authorize the hiring of a consultant to review the 10-year floodplain and present his/her findings in a report and at the meeting of September 30, 2016 to be paid not in amount to exceed \$1,500.00. The motion passed 6-0-0.

Minutes:

A motion was made by Mr. Britton and seconded by Mr. Willson to approve the minutes of August 12, 2015 as written. The motion passed 6-0-0.

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

The meeting was adjourned at 9:15 p.m.

The minutes were prepared by Stephanie Ide.

The minutes were approved at the meeting of October 14, 2015.