

BEDFORD CONSERVATION COMMISSION
Bedford Massachusetts
Minutes of Meeting
February 8, 2023
Online Remote Hearing

Present: Conservation Commissioners - Steven Hagan, Chair; Frank Richichi, Clerk; Lori Eggert; Deb Edinger; Stacey Katz, David Santos, & Stephanie Kane; Conservation Administrator Jeffrey Summers.

Absent: Conservation Administrative Assistant Stephanie Ide

Mr. Hagan opened the meeting at 6:02 p.m.

Notice of Intent – 39 Concord Road

This hearing was continued from the January 11, 2023 meeting. Richard Harrington, P.E., from Harrington Associates, LLC., presented the project proposal on behalf of the Applicant, Andrey Vieira. Mr. Harrington stated that revisions to the project include drywell chambers to capture roof stormwater runoff located at the site of the existing house and a no-disturbance line with markers running across the rear of the property. The land located beyond these markers is to return to a naturally vegetated state. The location of the drywell chambers was selected for its higher elevation above groundwater and because the groundwater flow is away from the proposed house at this location. New utility lines will be installed underground from the road to the new house.

Pam Brown, Esq., speaking on behalf of abutters, expressed concern regarding the functionality of the stormwater infiltration systems due to high ground water at the site. Mr. Harrington stated that the systems will work as they will be situated a minimum of two feet above the estimated high ground water elevation which conforms with installation standards. The chambers are to have a minimum volume sufficient to capture one inch of stormwater per square foot of roof area. Mr. Harrington also stated that vegetation could be added along the west side of the property for added visual screening between properties.

A motion was made by Mr. Richichi and seconded by Ms. Eggert to issue an Order of Conditions with the following site-specific Conditions:

1. The house shall be sited five feet to the east of the location depicted on the site plan dated February 6, 2023.
2. The “no-disturb” line shall continue along the 145-foot contour on the west side of the site.
3. The drywell chambers shall be sized to accommodate one inch of roof runoff dead storage.

The motion passed 6-0-0.

Commission Chair Steven Hagan recused himself from this hearing as he is a direct abutter to the project location.

Notice of Intent – 204 Springs Road

Andrea Kendall, PWS, from LEC Environmental Consultants, Inc., and Scott Sheehan, Natural Resources Officer for the Hanscom Air Force Base, presented the project on behalf of the Applicant, the United States of America Department of the Air Force. This proposal is for work within the north flowing stream which runs through the Patriot Golf Course. The resource areas at this location are Land Under Water, Stream Bank, and periphery wetlands associated with the stream. The work includes the replacement of several stream crossings as these have to some degree either sunken or collapsed over time. As such, they prevent proper stream flow and cause flooding in the area. Two crossings have collapsed completely and the stream flows over the top of these. Three crossings are proposed to be removed entirely with the addition of one new replacement crossing in the form of a short-spanned bridge arching over the stream. Stream bank and wetland vegetation will be restored in locations of disturbance.

A motion was made by Mr. Richichi and seconded by Ms. Katz to issue an Order of Conditions.

The motion passed 7-0-0.

Notice of Intent – 202 Burlington Road

David Robinson of Allen & Major Associates, Inc. and Robert Boston of MITER Corporation presented the project on behalf of the Applicant, MITER Corporation. This project is for the installation of a radio transmitting tower and separate receiver array at their corporate campus. The work is proposed within the buffer zone to BVW and within Bordering Land Subject to Flooding. The vast majority of the equipment is to be installed within existing grass lawn. Two supports are proposed to be installed within the 25' buffer to BVW in two separate locations. Any disturbed vegetation, which is expected to be minimal, will be allowed to naturally regrow. The anchor is a 2' x 2' x 4' concrete block and the mast is a 2" diameter pipe driven into the ground. A loss of 240 cubic feet of floodwater storage within the floodplain will be mitigated with an overall increase of 1378 cubic feet of storage capacity. This will be achieved by removing that amount of soil from the floodplain at another location on site.

A motion was made by Mr. Santos and seconded by Ms. Edinger to issue an Order of Conditions.

The motion passed 5-1-0 with Mr. Richichi voting nay.

Ms. Eggert was not present for this presentation and therefore did not cast a vote.

Notice of Intent – 55 & 61 Summer Street

This hearing was continued from the December 14, 2022 meeting. Present were Elisha Musgrave from Comprehensive Environmental, Inc., the Commission's third-party review consultant. Also present were Pam Brown, Esq., from Brown & Brown, P.C., and Kyle Cormier from Oxbow Associates, who represent the Applicant. After several months of revisions being made by the Applicant, this meeting was to serve as an update for the Commission.

Ms. Brown noted that the Applicant's team has been revising their documents and plans to satisfy any outstanding issues identified by the Commission's consultant. Significant improvements to the plan have been made regarding wetland identification, stormwater best management practices, overall configuration, and wetland replication. The project design is in its final stages; however, a full wetland replication plan is still required for submittal. Ms. Musgrave stated that the last substantial issue is for the Applicant to meet the Standard 4 of the Massachusetts Stormwater Standards. Mr. Cormier confirmed that his company will provide two years of monitoring reports for wetland replication areas. Ms. Brown said that they will have everything finalized for the next meeting.

A motion was made by Ms. Katz and seconded by Mr. Santos to continue the hearing until March 8, 2023.

The motion passed 7-0-0.

Discussion - MassPort VMP / Jordan Conservation Area

Dan Cathcart, from Plant Healthcare Consultants and the Commission's Consulting Arborist, provided an update regarding the MassPort Vegetation Maintenance Plan at the Jordan Conservation Area. He stated that lightweight temporary fencing appears to be the best solution to prevent newly planted vegetation from being eaten by deer, which is a major concern. It has been used successfully in the area. Mr. Cathcart asked if the Commission is amenable to that course of action before the restoration plan is further carried out. The Commission appeared to agree with the use of temporary fencing to protect any new vegetation. Mr. Cathcart stated that he is continuing to work with MassPort to develop the planting plan and that it is expected to be carried out in the fall of 2023.

Certificate of Compliance, #103-0860 - 3 Alfred Circle

A motion was made by Ms. Katz and seconded by Ms. Edinger to issue the Certificate of Compliance for 3 Alfred Circle. The motion passed 7-0-0.

Certificate of Compliance, #103-0454 - 170 - 176 Middlesex Turnpike

A motion was made by Ms. Katz and seconded by Ms. Edinger to issue the Certificate of Compliance for 170 - 176 Middlesex Turnpike. The motion passed 7-0-0.

Certificate of Compliance, #103-0568 - 170 - 176 Middlesex Turnpike

A motion was made by Ms. Katz and seconded by Ms. Edinger to issue the Certificate of Compliance for 170 - 176 Middlesex Turnpike. The motion passed 7-0-0.

Certificate of Compliance, #103-0455 - 1 Railroad Avenue

A motion was made by Ms. Katz and seconded by Ms. Edinger to issue the Certificate of Compliance for 1 Rail Road Avenue. The motion passed 7-0-0.

Certificate of Compliance, #103-0538 - 1 Railroad Avenue

A motion was made by Ms. Katz and seconded by Ms. Edinger to issue the Certificate of Compliance for 1 Rail Road Avenue. The motion passed 7-0-0.

Certificate of Compliance, #103-0693 - 1 Railroad Avenue

A motion was made by Ms. Katz and seconded by Ms. Edinger to issue the Certificate of Compliance for 1 Rail Road Avenue. The motion passed 7-0-0.

A motion was made by Ms. Eggert and seconded by Ms. Katz to adjourn the meeting at 8:55 p.m. The motion passed 7-0-0.

Minutes prepared by Jeffrey Summers.

Minutes approved at the meeting of November 8, 2023.