

BEDFORD CONSERVATION COMMISSION
Minutes of Meeting
February 9, 2022
Zoom Remote Hearing
Bedford, MA

Present: Allan Wirth, Chair; Steve Hagan, Vice-Chair; Frank Richichi; Deb Edinger;
Lori Eggert; Stacey Katz
Jeff Summers, Conservation Administrator
Stephanie Ide, Conservation Administrative Assistant

Mr. Hagan opened the meeting at 6:00 p.m.

Request for Determination of Applicability: 295 North Road, Job Lane House

Mr. John Linz, Chair of the Historic Preservation Commission was present before the Commission to discuss the proposed installation of shed on the Job Lane House property within the 100-foot buffer zone to Bordering Vegetated Wetland. The proposed shed will remain outside of the 50-foot buffer.

A motion was made by Ms. Katz and seconded by Mr. Hagan to issue a positive Determination for reason 2B and a negative Determination for reason 3. The motion passed 5-0-0.

Request for Determination of Applicability: 16 Balsam Drive

Mr. Andy Levenson was present before the Commission to discuss a proposed deck replacement within the 100-foot to buffer zone to a mapped ditch. The Town GIS shows this as a “U” shaped ditch in the back yard of the neighboring property. This may be a trench for stormwater retention; however, it could not be properly seen by Mr. Summers at the time of the site visit due to snow cover. The deck will be replaced outside of the 50-foot buffer.

A motion was made by Mr. Hagan and seconded by Ms. Katz to issue a positive Determination for reason 2B and a negative Determination for reason 3. The motion passed 6-0-0.

Continuation of Public Hearing – Notice of Intent: 210 Springs Road, Middlesex Community College

Ms. Meera Cousens of Civil Design Consultants and Mr. Phil Sisson, President of Middlesex Community College were present before the Commission to continue the discussion on the proposed full depth pavement reclamation of the Middlesex Community College overflow parking lot and the upgrading of the current drainage system within the 100-foot buffer zone to Bordering Vegetated Wetland at 210 Springs Road.

The revised plan shows the reduction of 1.8 acres of pavement, the reduction of 138 parking spaces, the inclusion of three large landscaped islands, the 25-foot buffer restored to a natural state, dedicated Narrow Gauge Rail Trail access and a snow storage plan. The Commission discussed including a condition in the Order of Conditions that will require the review of the landscape plan prior to construction.

A motion was made by Mr. Hagan and seconded by Ms. Edinger to close the public hearing. The motion passed 6-0-0. A motion was made by Mr. Hagan and seconded by Mr. Richichi to issue the Order of Conditions with the conditions as discussed. The motion passed 6-0-0.

Public Hearing – Notice of Intent: Minuteman Bikeway Extension

Ms. Lori Eggert and Mr. Allan Wirth recused themselves from participating in the public hearing for the Minuteman Bikeway Extension as they are both abutters to the proposed project.

Mr. Dan Cannata and Mr. Josh Trearchis of VHB were present before the Commission with Ms. Kristin Dowdy and Ms. Jeanette Rebecchi of the Town of Bedford Department of Public Works to discuss the proposed extension of the Minuteman Bikeway. The project proposes to construct 8,800 feet of bikeway on the Reformatory Branch Trail, from Railroad Avenue to approximately 200 feet past Concord Road. As a part of the Railroad Avenue reconstruction, sidewalks, bike accommodations, new drainage, pavement markings and signs and defined curb cuts will be constructed. Other associated work includes installing erosion and sedimentation controls during construction and tree and vegetation removal along portions of the trail corridor. Portions of the project will occur within Bordering Vegetated Wetlands, Riverfront Area, and the 100-foot buffer zone to Bordering Vegetated Wetland and Bank. Mitigation measures will be put in place to prevent erosion and sedimentation disturbance during construction within Bordering Land Subject to Flooding, Riverfront Area and the 100-foot buffer zone to Bordering Vegetated Wetland. The project is located along the Reformatory Branch Trail.

The work consists of making 1,665 linear feet of Railroad Avenue dedicated to bike access and to construct 8,800 feet of paved 12-foot wide bikeway along the Reformatory Branch Trail from Railroad Avenue to about 200 feet past Concord Road. As part of this project, additional work consists of: new drainage, signs, a box culvert under Concord Road, three porous pavement parking lots, installation of erosion controls, removal of overgrown vegetation and loaming and seeding in certain areas, installation of pedestrian traffic controls, wood bicycle railings, grading, and creating the wetland replacement area.

In certain areas the project requires work within the 25-foot buffer zone, the increase of impervious surface area beyond 25% within buffer zone, and the loss of 850 sf of wetland. A wetland replication area of 1650 sf is proposed to mitigate the loss.

The project does require the request of a variance for work regarding the construction of structures within the 25-foot buffer zone and the increase in impervious surface area exceeding 25% within the buffer zone in various locations. A variance can be granted citing an overriding public interest in that it provides a means of safe, non-motorized transportation to the community and region. State interest is evidenced as this project is a proposed part of the Massachusetts Department of Transportation 2023 Fiscal Year Transportation Improvement Plan.

A motion was made by Mr. Richichi and seconded by Ms. Katz to close the public hearing. The motion passed 4-0-0. A motion was made by Mr. Richichi and seconded by Ms. Katz to issue a variance for the Minuteman Bikeway Extension citing an overriding public interest. The motion passed 4-0-0. A motion was made by Ms. Katz and seconded by Ms. Edinger to issue the Order of Conditions as drafted. The motion passed 4-0-0.

Declaration & Dedication of Land for the Minuteman Bikeway:

Several documents require Conservation approval including: temporary construction and permanent easement approval, De Minimis Impact Determinations, and Record of Vote. Each document was read into the record. A motion was made by Ms. Katz and seconded by Ms. Edinger to approve temporary construction and permanent easement approval, De Minimis Impact Determinations, and the Record of Vote. The motions passed 4-0-0.

Public Hearing – Notice of Intent: 12 Fern Way

Mr. Rich Kirby of LEC Environmental was present before the Commission with homeowners Marc and Stephanie Levetin to discuss the proposed replacement of a pool shed, removal of a second shed, replacement and expansion of a concrete pool patio and brick patio with permeable pavers, restoration of buffer zone, and the replacement of a fence within the 100-foot buffer zone to Bordering Vegetated Wetland. The project will result in a reduction of impervious surface area within the buffer zone by 1,434 sf.

A motion was made by Mr. Hagan and seconded by Mr. Richichi to close the public hearing. The motion passed 6-0-0. A motion was made by Mr. Hagan and seconded by Ms. Katz to issue the Order of Conditions as drafted. The motion passed 6-0-0.

Public Hearing – Notice of Intent: 11 William Street

Mr. Rich Kirby of LEC Environmental was present before the Commission with homeowner Petra Peplau to discuss the proposed construction of a garage addition and driveway replacement within the 100-foot buffer zones to Bordering Land Subject to Flooding and Bordering Vegetated Wetland. A portion of the construction access for the project will be located within Bordering Land Subject to Flooding. Additional work is the widening and reconfiguration of the driveway outside of the 100-foot buffer zone to BVW, but remains within 100-foot buffer zone to Floodplain. The installation of a picket fence will enclose the yard and wetland boundary markers will be installed. The garage will be constructed outside of the 50-foot buffer to BVW. Approximately 1,924 sf of lawn area will be abandoned as mitigation for the project.

A motion was made by Mr. Richichi and seconded by Ms. Katz to close the public hearing. The motion passed 6-0-0. A motion was made by Ms. Katz and seconded by Mr. Richichi to issue the Order of Conditions as drafted. The motion passed 6-0-0.

Certificate of Compliance: 6 Labo Lane

Ms. Ide stated that the request for a Certificate of Compliance is to close an open Order of Conditions from 1993 for the installation of a deck within the 100-foot buffer zone to Bordering Vegetated Wetland and within Floodplain.

A motion was made by Ms. Katz and seconded by Ms. Edinger to issue the Certificate of Compliance for 6 Labo Lane without continuing conditions. The motion passed 6-0-0.

Archiving Funding:

Ms. Ide requested that the Commission approve funding to pay the currently unpaid intern that has been working on Conservation Archiving. She explained that the intern would be paid \$14.25 per hour and requested the approval of \$2,000.00 from the Wetland Protection Fund. The funding would provide 140 hours of archiving time.

A motion was made by Mr. Hagan and seconded by Ms. Edinger to approve the amount of \$2,000.00 from the WPF account for payment of archiving services. The motion passed 6-0-0.

Minutes:

A motion was made by Mr. Hagan and seconded by Ms. Edinger to approve the minutes of December 15, 2021 as written. The motion passed 4-0-2 with Ms. Katz and Mr. Wirth abstaining.

Delineation Policy:

Mr. Summers stated that the Delineation Policy has been reviewed by Town Counsel as was requested by the Commission. A motion was made by Mr. Hagan and seconded by Ms. Eggert to approve the Delineation Policy as written. The motion passed 6-0-0.

A motion was made by Mr. Hagan and seconded by Ms. Katz to adjourn the meeting at 8:35 p.m. The motion passed 6-0-0.

Minutes prepared by Stephanie Ide.

Minutes approved at the meeting of March 16, 2022.