

**Regular Session Minutes— Bedford, MA Select Board Meeting
Hybrid Participation Meeting (Select Board Meeting Room and Zoom)
February 27, 2023**

PRESENT: Town Manager Sarah Stanton, Chair Emily Mitchell, Clerk Bopha Malone, Shawn Hanegan, Edward Pierce.

ALSO PRESENT: Leanne Petto, Administrative Assistant, Town Manager’s Office; Amy Fidalgo, Assistant Town Manager of Operations; David Manugian, Director of Public Works; Jeff King, Director of Housing and Economic Development; Joanne Callander, Eversource; Paul Mortenson, Finance Committee; Ben Thomas, Finance Committee; Dan Carroll; Attorney Pam Brown; Ashim Joshi; Dan Churella, Arbor Resources Committee; Joseph Piantedosi; Chris Mohen; Walter St. Onge; Robert Kalantari; Jacqueline Edwards, Arbor Resources Committee; Tom Hopkins; Rheanna Lanoie; Mike Rosenberg, *The Bedford Citizen*; Molly Haskell, Arbor Resources Committee.

Ms. Mitchell called the meeting to order at 7:03 pm.

**Mr. Hanegan moved to open the public hearing. Mr. Pierce seconded.
The motion passed 4-0-0.**

23-36 Public Comment

No public comment.

23-37 Utility Hearing— Grant of Location, Homestead Circle

Ms. Fidalgo presented information regarding a request for a grant of location for electrical service on Homestead Circle, this work is for an existing structure not for new construction. Ms. Fidalgo noted that Mr. Manugian was available to answer any technical questions.

**Mr. Hanegan moved to close the public hearing. Ms. Malone seconded.
The motion passed 4-0-0.**

Ms. Malone moved that the Town approve the petition to construct the utility as described and shown on the Order and Plans, dated February 10, 2023, for Homestead Circle on behalf of NSTAR Electric Company DBA Eversource Energy, and that any damage to Town

Owned infrastructure be reported to the Department of Public Works and repaired to the standards of such. Mr. Hanegan seconded.

The motion passed 4-0-0.

Materials: 10508093 – Homestead Cir BED Cover Letter, 10508093 –Homestead Cir BED Plan, 10508093 – Homestead Cir BED Order10508093 – Homestead Cir BED Petition, DPW Comment – Homestead Cir Memo to Select Board, Public Meeting Notice Eversource – Homestead Circle.

23-38 Dept. of Public Works Contract

Ms. Fidalgo discussed the Department of Public Works Chapter 90 reimbursement requests, which are related to the Great Road Master Plan.

Mr. Hanegan asked for a brief update about the North Road and Chelmsford Road construction. Mr. Manugian responded that they are waiting for the spring in order to move some utility poles from Eversource. Once that is completed, drainage construction can get underway, followed by installation of traffic signals, paving, and sidewalk work. The majority of the work will be completed in 2023.

Mr. Hanegan moved to accept the Chapter 90 reimbursement requests. Ms. Malone seconded.

The motion passed 4-0-0.

Materials: DPW Chapter 90 Reimbursement Requests 2-27-23.pdf.

23-39 50-52 Summer Street – Shade Tree Removal

Mr. Manugian provided a summary of the initial shade tree hearing. An objection was made in writing at the hearing; in accordance with MGL Chapter 87, the Tree Warden did not provide permission to remove the tree. Chapter 87 allows the applicant to appeal the objection to the Select Board as the Town owners of the Public Right of Way.

The Department of Public Works and the Tree Warden had two recommendations for the applicant: 1) the applicant attends a public meeting of the Arbor Resources Committee to answer questions that were previously asked; 2) the applicant provides mitigation for the removed tree in accordance with the Arbor Resources Shade Tree Mitigation policy. The applicant complied with both recommendations, and therefore Department of Public Works is comfortable with the removal of the tree.

Attorney Pam Brown, representing the owners of 50-52 Summer Street, noted that she and her client were present to answer any questions from the Board.

Ms. Malone asked for clarification on the mitigation, specifically if the applicant is required to plant three trees, pay \$500 dollars per tree, or some combination thereof. Mr. Manugian responded that the mitigation is for three trees, and the value of each tree is \$500. There may be site conditions precluding plantings, so the applicant could pay into the tree fund instead.

Mr. Hanegan asked if there are any outstanding concerns from the Arbor Resource Committee. Ms. Haskell, Chair of Arbor Resources Committee, responded that BARC is still opposed to the tree removal. The mitigation is in accordance with the tree policy, which she feels is outdated and inadequate.

Mr. Pierce asked if the branches have already been cut off. Mr. Manugian responded that some work had been started before it was determined that the tree was in the public right of way.

Mr. Pierce asked about the positioning of the tree in question. Ms. Brown responded that the branches of the tree are over the property line, but the trunk is in the public right of way. The trunk is at least 20' from the pavement. The applicants found the mitigation plan acceptable.

Mr. Hanegan noted that the proposed mitigation plan fits the tree policy.

Ms. Mitchell noted that the mitigation plan is acceptable to the applicant, and the Select Board must vote on what has been presented to them.

Ms. Haskell noted that the tree is only eight feet from the curb and that the canopy of the tree is intact. She would like to meet with the applicant about redesigning the driveway.

Ms. Mitchell noted that redesigning the driveway is outside the scope of BARC's charge and the Select Board's charge, and recommended this case may be used in the future as a cautionary tale for similar situations.

Ms. Haskell responded that there are disconnects between the requirements and recommendations of the Zoning and Planning Boards.

Mr. Hanegan moved that the Town approve the removal of the public works shade tree at 50-52 Summer Street in accordance with the conditions described in the Public Works memo dated February 17, 2023. Ms. Malone seconded. The motion passed 3-1-0, with Mr. Pierce voting nay.

Materials: DPW Memo 50-52 Summer Street Tree Removal 2023-02-17.

23-40 Consent Agenda

Regular Session Minutes—February 13, 2023. Voting on the minutes was postponed to the March 13th meeting.

Materials: 02132023 Select Board Meeting Minutes—Draft.

23-41 Town Manager’s Report

Ms. Stanton introduced Jeffrey King, Director of Economic Development, to provide updates on the Minuteman Bikeway Wayfinding Project, in conjunction with the Local Rapid Recovery Program and efforts made in collaboration with other local communities.

Mr. King explained that this is an effort to help local business help recover from impacts of Covid-19. A professional consultant has designed the graphics for the signage, and the next steps include developing a budget to fabricate and install signage, ideally using grant funding.

Materials: SB Minuteman Wayfinder Memo 2_27_23.docx

23-42 Liaison Reports

Mr. Hanegan reported the Housing Partnership met regarding procedures. They have endorsed the proposed Carlisle Road LIP. The Depot Park Committee announced that a book has been released regarding the history of the rail line.

Ms. Malone reported that Summer Adventures registration through the Recreation Department starts at 8pm. Council on Aging met about senior housing developments and home sharing.

Mr. Pierce commented that 28 years of Town service has been a long time, and has been a life of fun. He thanked the residents and those along the way, noting he has enjoyed their company. To the staff and Board, he said it has been his pleasure to have worked with you.

Ms. Mitchell reported the Library Trustees met about policies. The Finance Committee met to finalize recommendations for the warrant articles. The Hanscom Field Advisory Committee met and discussed the proposed North Airfield expansion project. Ms. Mitchell clarified that the expansion project is not new information, and this project has been long coming. Senator Mike Barrett drafted a letter proposing a requirement that the new hanger be used only for aircraft that operate on non-fossil fuels. Ms. Mitchell did not sign on to the letter personally, although she supports non-fossil fuel aviation. She felt the letter shifted the concerns about the project from the Town's long list to a single issue. Bedford is the only community that has any permitting authority, but she is mindful that Bedford is not the only community that will feel the impacts of this project. She looks forward to having meaningful dialogue with the Massport and other communities.

Ms. Mitchell noted that Mr. Pierce has served two terms with the Select Board and over two decades on various other Boards and Committees. She thanked him for his thoughtful comments and service he has provided to our community.

Mr. Hanegan thanked Mr. Pierce for his calming presence and instilling doing what is right.

Ms. Malone noted that without people like Mr. Pierce, Bedford would not be the community it is today.

**Mr. Pierce moved to adjourn. Ms. Malone seconded.
The motion passed 4-0-0.**

**Meeting adjourned at 7:47 p.m.
Respectfully submitted by Leanne Petto**