

BEDFORD CONSERVATION COMMISSION
Minutes of Meeting
April 13, 2022
Zoom Remote Hearing
Bedford, MA

Present: Steve Hagan, Chair; Frank Richichi, Clerk; Deb Edinger;
Lori Eggert
Jeff Summers, Conservation Administrator
Stephanie Ide, Conservation Administrative Assistant
Absent: Stacey Katz

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

Middlesex Turnpike CR Easement:

Mr. Gene Crouch of VHB was present before the Commission to discuss the ongoing Middlesex Turnpike project. The project is the expansion of the existing roadway from two lanes to four lanes. The Commission denied the project on April 23, 2014 because the project did not meet the standards but DEP later issued a Variance for the project on 10/11/2016. The Conservation Restriction (CR) was approved by November 2019.

The project required a temporary construction easement, valid for five years, which has since expired. There are currently three encroachment areas where temporary grading will need to take place within the Conservation Restriction. Two of the three encroachment areas are near certified vernal pools and blue spotted salamander habitat. Buried rock has been discovered in these areas and is hindering the installation of a retaining wall along the western edge of Middlesex Turnpike just south of the Billerica town line. The new temporary easement will include 3,868 square feet of area along the edge of the roadway. The expanded area allows for the removal of boulders and the installation of sediment and turbidity controls. Once work is completed, the easements will become invalid.

A motion was made by Mr. Hagan and seconded by Ms. Eggert to approve the Easement as indicated on the site plans dated March 29, 2022 to allow for the completion of the Middlesex Turnpike Project. The motion passed 4-0-0.

Request for Determination of Applicability: 1 Garrison Drive

Mr. Jason Siwik was present before the Commission to discuss the proposed construction of a three-season porch within the 100-foot buffer zone to Bordering Vegetated Wetland. An existing deck will be demolished and a three-season porch will be constructed in its place.

A motion was made and seconded to issue a positive Determination for reasons 2B and 5 and a negative Determination for reason 3 without conditions. The motion passed 4-0-0.

Request for Determination of Applicability: 9 Winthrop Avenue

Mr. Daniel Missiti was present before the Commission to discuss the proposed construction of an 8x23-foot raised addition within the 50-foot buffer zone to Bordering Vegetated Wetland and the 100-foot buffer zone to Bordering Land Subject to Flooding.

A motion was made and seconded to issue a positive Determination for reasons 2B and five and a negative Determination for reason three without conditions. The motion passed 4-0-0.

Request for Amendment to the Order of Conditions, #103-0897: 102 Hartwell Road

Mr. Russ Waldron of Applied Ecological Sciences was present before the Commission on behalf of Xue Xiang Chen to request an Amendment to the Order of Conditions, 103-0897 for proposed changes to the work originally proposed at 102 Hartwell which include the expansion of the proposed single-family home by 572.124 square feet within the 100-foot buffer zone to Bordering Vegetated Wetland. In August 2021, an Order of Conditions was issued for the demolition of an existing single-family home and the construction of a new home in the same general location. The addition is proposed outside of the 50-foot buffer zone.

A motion was made and seconded to approve and issue the Amendment to the Order of Conditions. The motion passed 4-0-0.

Public Hearing – Notice of Intent: 5 Alfred Circle

Linden Engineering Partners were present before the Commission on behalf of CUSP Dental Research to discuss the proposed installation of a new water service connection and the decommissioning of the existing water service connection within Bordering Land Subject to Flooding and the 100-foot buffer zones to Bordering Vegetated Wetland and Bank. New water lines will run from the street to the building through an existing paved parking lot. The installation will result in the temporary disturbance of 1,937 sf of surface area within the floodplain. Once the lines are installed, the disturbed area will be repaved to its original elevation.

A motion was made and seconded to close the public hearing and issue the Order of Conditions as discussed. The motion passed 4-0-0.

Public Hearing – Notice of Intent: 20 Crosby Drive

Mr. Taylor Dowdy of the BSC Group was present before the Commission on behalf of Paul Finger Associates to discuss the proposed construction of an elevated parking deck and the construction of an 80,000-sf building within an existing parking lot. The proposed project is within the 100-foot buffer zone to Bordering Vegetated Wetland. The project consists of constructing a multi-level parking garage and an 80,000-sf building at two separate locations on the property. A third existing parking lot is proposed to be reconfigured.

The new building construction is located outside of all buffer zones. The project is considered redevelopment and Stormwater Management Standards do apply. A 9000-sf reduction in impervious surface will take place with the construction of this project. There will also be improvements to the quality of water flowing off of the site, and rates and volumes will be reduced.

A motion was made and seconded to close the public hearing and issue the Order of Conditions as discussed. The motion passed 4-0-0.

210 Springs Road, Middlesex Community College: Landscape Plan

Ms. Meera A. Cousens of Civil Design Consultants and Mr. Tom Moseley, Landscape Architect for the Middlesex Community College overflow parking lot project, were present before the Commission to obtain approval of a landscape plan that was required to be submitted to the Commission in conjunction with Order of Conditions #103-0892.

A motion was made and seconded to approve the plan as presented. The motion passed 4-0-0.

DPW Road Paving Notification:

The Department of Public Works submitted a notification to the Commission regarding upcoming road paving projects in town.

Rules & Regulations Amendment: Administrative Review

The Commission discussed and reviewed proposed amendments to the Regulations to include administrative review for minor projects, the addition of the Riverfront Area to the statement of jurisdiction and the re-numbering of section sequence. Administrative Approvals are outlined within the Bylaw as activities considered minor in scope within Conservation jurisdictional areas but not discussed in the Regulations. The addition of this section within the regulations would allow for the review of minor projects to be approved by the Conservation Administrator without having to appear before the Conservation Commission with a formal application. Examples of activities considered minor in scope include, but are not limited to: residential deck work, fencing, small shed installation, work within existing pavement, and the disturbance to areas less than 500 square feet in size.

The Conservation Administrator would review all administrative approval requests and for any reason may deny the request and require the filing of a Request for Determination of Applicability, Notice of Intent, or other wetlands permit by the Applicant to be reviewed by the Conservation Commission at a public hearing. Administrative approval requests may also apply to previously permitted projects where a valid Determination or Order of Conditions exists and where minor changes are proposed. Minor changes are those which will have no likelihood of additional impact on any Resource Area, Buffer Zone, or Protected Interest. When granting an Administrative Approval, the Conservation Administrator may impose conditions which must be met. All work approved through the administrative approval request shall be completed within six months of the date of approval. All administrative approval requests will be disclosed at a meeting of the Conservation Commission and the Commission has the right to require a formal application if it sees fit.

A motion was made by Mr. Richichi and seconded by Ms. Eggert to approve the section added to the Regulations regarding Administrative Review. The motion passed 4-0-0.

Minutes:

A motion was made by Mr. Richichi and seconded by Ms. Eggert to approve the minutes of March 16, 2022 as written. The motion passed 4-0-0.

A motion was made and seconded to adjourn the meeting at 7:30 p.m. The motion passed 4-0-0.

Minutes prepared by Stephanie Ide.

Minutes approved at the meeting of July 13, 2022.