

BEDFORD CONSERVATION COMMISSION
Minutes of Meeting
September 13, 2023
Zoom Remote
Hearing Bedford, MA

Present: Steven Hagan, Chair; Frank Richichi, Clerk; Deb Edinger; David Santos; Jeffrey Summers, Conservation Administrator

Absent: Lori Eggert; Stacey Katz; Stephanie Ide; Conservation Administrative Assistant

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

Request for Determination of Applicability: 311 Springs Road

Mr. Robert Scoville was present before the Commission to discuss the installation of a shed within the 100-foot buffer zone to Bordering Vegetated Wetland. The shed would be located just outside the 25-foot buffer as the lot is constrained.

A motion was made by Ms. Edinger and seconded by Mr. Richichi to issue a positive Determination for reason 2b and a negative Determination for reason 3. The motion passed 4-0-0.

Request for Determination of Applicability: 558 Springs Road

Mr. John and Ms. Deborah McGrath were present before the Commission to discuss the proposed garage addition, deck and paving of the driveway within the 100-foot buffer zone to Bordering Vegetated Wetland. All work will remain outside of the 50-foot buffer.

A motion was made by Ms. Edinger and seconded by Mr. Santos to issue a positive Determination for reason 2b and a negative Determination for reason 3 with the following condition:

1. Approximately 100 linear feet of silt sock or filter tube, erosion control, with a minimum diameter of 8", must be installed along the 50' buffer zone between the work location and the wetland. The silt sock must be inspected and approved by the Commission before the commencement of any work pertaining to this project and it must be properly maintained until all disturbed surfaces are fully stabilized. Approval from the Commission must be obtained before the silt sock erosion control may be removed.

The motion passed 4-0-0.

Request for Determination of Applicability: 38 Battle Flagg Road

Ms. Padma Choudry was present before the Commission to discuss the proposed removal of 9 trees within the 100-foot buffer to Bordering Vegetated Wetland. Ms. Choudry stated that the trees in the back of the house will be removed by a crane.

A motion was made by Mr. Richichi and seconded by Mr. Santos to issue a positive Determination for reason 2b and a negative Determination for reason 3. The motion passed 4-0-0.

Notice of Intent: 18 Jeffrey Circle

Ms. Mary Trudeau on behalf of Yukon Development and Cole Family Trust for the demolition of the existing house and construction of a new house within the 100-foot buffer zones to Bordering Land Subject to Flooding and Bordering Vegetated Wetland. Ms. Trudeau stated that she overlooked mailing an abutter notification and will continue the hearing to give the abutter the right to review the proposed project prior to the Commission issuing a decision. The existing house has been vacant for the past eight years and vegetation has claimed the property. The proposed new house construction will be located outside of the floodplain and the 50-foot buffer to BVW. There is currently no stormwater management on the property aside from gutters. The new house construction will include the installation of two infiltration units on the property. A motion was made by Mr. Richichi and seconded by Mr. Santos to continue the public hearing to the meeting of October 11, 2023 pending notification of the abutter that did not receive notification of the project. The motion passed 4-0-0.

Appointment: Dan Churella, Bedford Arbor Resources Committee

Ms. Eggert joined the meeting.

Ms. Molly Haskell, Chair of the Bedford Arbor Resource Committee (BARC) and Mr. Dan Churella, BARC member and former Chair, were present before the Commission to present proposed updates and changes to the Bedford Tree Policy. The proposed changes will have to be approved at Town Meeting. The current tree policy is based on MGL Chapter 87. The Goal of the tree policy is to protect public trees in Bedford by implementing higher fees for the removal of public trees more in line with surrounding towns. The funds collected from these fees charged would be used for replanting. The fees would be assessed based on the value of the tree to be removed with the goal of protecting healthy trees from being removed. Mr. Richichi asked about the removal of invasive trees, stating that he would like clarification within the proposed policy as to whether invasive trees could be removed without a fee. Ms. Edinger and Ms. Haskell agreed with Mr. Richichi. Mr. Hagan asked if diseased trees could be removed without a fee and stated that time is of the essence when dealing with diseased trees. Mr. Churella stated there is no fee for the removal of at-risk tree and thanked the Commission for their time.

Appointment: Nadia Madden – Re: Surface Runoff & Flooding Issues on Willard Circle

Ms. Nadia Madden was present before the Commission to present some ongoing concerns of surface runoff and flooding issues on Willard Circle. Ms. Madden explained that the Commission had requested the construction of a swale during the construction of the neighboring new house. The swale as Ms. Madden stated has had some unintentional consequences by channelizing what now looks to be an intermittent stream sending the water into the street and cascading down her mother’s driveway causing flooding in the house. DPW is working with Ms. Madden to come up with a solution and she recommended that the Commission consider flooding impacts to neighbors when issuing a decision and recommended training opportunities with MACC.

Emergency Certification: 3 & 5 Richard Road – Bedford Department of Public Works

Mr. Summers stated that on August 10, the Bedford Department of Public Works requested an Emergency Certification for work at 3 & 5 Richard Road. Due to the heavy rains at the time, it was discovered that the elevation of the wetland to the north of this area was rapidly increasing. It was soon discovered that the Town owned drainage culvert, which contains Mongo Brook in this area, had failed and was blocked. The DPW had subsequently installed a pump system to channel water overland to avoid significant flooding in the area.

On August 10, the Conservation Administrator, Jeff Summers, signed an Emergency Certification to allow the pumping of floodwater and for digging in the area to investigate the cause of the backup. A Notice of Intent will be filed with the Conservation Commission to review and approve any permanent culvert repairs along Mongo Brook or in adjacent wetland buffer zones.

It is required that the Conservation Commission review the circumstances surrounding the issuance of the Emergency Certificate and ratify its issuance by majority vote, if it chooses to uphold its issuance. A motion was made by Mr. Richichi and seconded by Ms. Edinger to ratify the Emergency Certification. The motion passed 5-0-0.

A motion was made by Ms. Eggert and seconded by Mr. Santos to adjourn the meeting at 8:00 p.m. The motion passed 5-0-0.

Minutes prepared by Stephanie Ide from recording.

Minutes approved at the meeting of October 11, 2023.