

**BEDFORD CONSERVATION COMMISSION**  
**Minutes of Meeting**  
**November 6, 2019**  
**Selectmen's Conference Room**  
**Town Hall, Bedford, MA**

**PRESENT:** Allan Wirth, Chair; John Britton; Art Smith; Lori Eggert  
Elizabeth Bagdonas, Conservation Administrator  
Stephanie Ide, Conservation Department Assistant  
**ABSENT:** Steven Hagan, Vice-Chair

Mr. Wirth opened the meeting at 7:00 p.m.

**Continuation of Public Hearing – Notice of Intent:** Massport VMP

Mr. Jim Stolecki was present before the Commission to continue the discussion on the Vegetation Management Plan that Massachusetts Port Authority is proposing. Mr. Stolecki requested a continuation to the meeting of November 20, 2019 in order to follow through with a site visit. Mr. Stolecki said that flagging of the trees to be topped or pruned had been completed earlier in the week. A new map was distributed to the Commission. Red and yellow circles were shown on the map as areas that need to be topped because they are currently penetrating air space. Blue and green dots indicate trees that are just below protected air space which will be topped or pruned. White dots indicate pruning. Ms. Eggert stated her concern about inconsistencies in the Notice of Intent and wants them corrected for the record. Mr. Stolecki agreed to correct any incorrect information and scheduled a site visit with the Commission for Tuesday, November 12, 2019 to review the impacted areas of trees. The public hearing was continued to the meeting of November 20, 2019.

**Request for Determination of Applicability:** 17 Brooksbie Road

Mr. David Bernstein was present before the Commission to discuss the demolition of an existing house and construction of a new house within the 100-foot buffer zone to Bordering Vegetated Wetland.

A motion was made by Mr. Britton and seconded by Mr. Smith to issue a positive Determination for reason five and a negative Determination for reason three with the following conditions:

1. Tree removal near property frontage is subject to other town department regulations.
2. Runoff is to be contained on site.

3. Catch basins will be protected.

The motion passed 4-0-0, after which the Determination was signed.

**Request for Determination of Applicability:** 42 Glenridge Drive

Mr. Don Vihn was present before the Commission to discuss the installation of a shed and the removal of invasive multi-flora bushes within the 100-foot buffer zone to Bordering Vegetated Wetland. The shed would be located outside of the 50-foot buffer but the Zoning Board does not like the planned location. The setback requirement is ten feet behind the rear most point of the house. That requirement would put the shed partially within the 25-foot and 50-foot buffers. Mr. Vihn requested an exemption from the Conservation Commission to be able to place the shed behind the house in order to meet setback requirements per the direction of the Zoning Board of Appeals. Mr. Vihn was told that no such exemption exists. The shed would have to be located where it is currently marked on the plot plan or attached to the house in order for it to be approved. Mr. Vihn will return to the Zoning Board of Appeals on December 12, 2019 with Mr. Smith to discuss the options.

A motion was made by Mr. Smith and seconded by Mr. Britton to continue the public hearing to the meeting of December 18, 2019.

**Public Hearing – Notice of Intent:** 172, 174 & 176 Middlesex Turnpike

Ms. Kathy Keegan and Mr. Chandler Anctil of Kimley-Horn were present before the Commission on behalf of VEREIT, Cole Bedford MA, LLC to discuss the proposed mill and overlay, and full depth pavement repairs within access roads, driveways and parking lots, including ADA repairs for compliance at 172-176 Middlesex Turnpike. The project area is within the 100-foot buffer zones to Bordering and Isolated Vegetated Wetlands, and a certified Vernal Pool. Ms. Keegan stated that they would like to get started on the repaving project before the asphalt plants close for the winter.

A motion was made by Mr. Britton and seconded by Mr. Smith to close the public hearing. The motion passed 4-0-0.

**Order of Conditions:** 172, 174 & 176 Middlesex Turnpike

The Commission reviewed the draft Order of Conditions as prepared by Ms. Bagdonas. A motion was made by Mr. Britton and seconded by Mr. Smith to issue the Order of Conditions for 172-176 Middlesex Turnpike as drafted. The motion passed 4-0-0, after which the Order was signed.

**Public Hearing – Notice of Intent:** Spring Brook Park Culvert – DPW

Ms. Kristin Dowdy and Ms. Adrienne St. John of the Town of Bedford Department of Public Works were present before the Commission to discuss the proposed culvert replacement, headwall repair, removal of four trees and the repaving of the entrance driveway to Springs Brook Park. The project will be within Bank and an intermittent stream bed, Bordering Vegetated Wetland, and the 100-foot buffer zones to Bank and Bordering Vegetated Wetland. The project is located at 161 Springs Road.

A motion was made by Mr. Smith and seconded by Ms. Eggert to close the public hearing. The motion passed 4-0-0.

**Order of Conditions:** Springsbrook Park Culvert – DPW

The Commission discussed the issuance of a standard Order of Conditions for utilities and roadwork. A motion was made by Mr. Smith and seconded by Ms. Eggert to issue the Order of Conditions as discussed. The motion passed 4-0-0, after which the Order was signed.

**30 Meadowbrook Road:**

Mr. Sunil Varghese was present before the Commission to discuss remediation for the removal of two pine trees under the tree policy that were located within the 25-foot buffer to Wetland. The Commission told Mr. Varghese that he could plant one native low growing tree in place of the two close growing pines that were removed. Mr. Varghese will plant the tree in the spring and submit a photograph once planting is complete.

**Minutes:**

A motion was made by Mr. Britton and seconded by Mr. Smith to approve the minutes of October 23, 2019 as written. The motion passed 4-0-0.

A motion was made by Mr. Britton and seconded by Mr. Smith to approve the minutes of September 25, 2019 as written. The motion passed 3-0-1, with Ms. Eggert abstaining due to absence.

**Fill Standard:**

The Commission discussed the current fill standards. Ms. Bagdonas asked if having a consultant test the soil materials and write a letter to the Commission regarding their findings would be acceptable. The Commission agreed that this would be acceptable to satisfy the clean fill requirement.

**40 Buehler Road:**

Ms. Bagdonas will contact Ms. Trudeau to see if there is any update for 40 Buehler Road.

**Tree Policy:**

The tree policy was briefly discussed. No changes were made.

*A motion was made by Ms. Eggert and seconded by Mr. Smith to adjourn the meeting. The motion passed 4-0-0.*

*Meeting adjourned at 9:15 p.m.*

*Minutes prepared by Stephanie Ide.*

*Minutes approved at meeting of November 20, 2019.*