

BEDFORD CONSERVATION COMMISSION
Bedford Massachusetts
Minutes of Meeting
June 14, 2023
Online Remote Hearing

Present: Conservation Commissioners - Steven Hagan, Chair; Frank Richichi, Clerk; Lori Eggert; Davis Santos; Stacey Katz. Conservation Administrator Jeffrey Summers.

Absent: Conservation Commissioners - Stephanie Kane; Deb Edinger; Conservation Administrative Assistant Stephanie Ide.

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

Abbreviated Notice of Intent: 27 Fayette Road

Kyle Coffman, property owner, was in attendance to present the project. Mr. Coffman explained that the house and most of the yard fall within the 1% annual chance Floodplain according to FEMA maps and was therefore required to file the ANOI. The project is to install approximately 170 liner feet of fence within the floodplain to enclose the rear and side yards. Within the Floodplain, the fence is to be supported by 26 5" x 5" wood posts. In addition, a slightly raised 15' x 12' deck was previously installed in the back yard over an existing paved patio and Mr. Coffman would like to have this previously performed work officially permitted as well. After considering the dimensions of the deck, fencing, and posts it was calculated that the volume of these objects would be in the area of 20 cubic feet. The Applicant will remove 25 cubic feet of soil from the lower edge of the back-yard berm in an effort to provide compensatory flood storage volume.

A motion was made by Mr. Richichi and seconded by Ms. Eggert to close the public hearing.

The motion passed 5-0-0.

A Motion was made by Ms. Katz and seconded by Ms. Eggert to issue an Order of Conditions.

The motion passed 5-0-0.

Request for Determination of Applicability: 14 Oak Park Drive

Sandra Brock, P.E., from Nitsch Engineering and Justin Tierney, the Applicant, were in attendance to present the project. She stated that on the western edge of the parking lot are located a raised sand volleyball court just beyond a paved basketball court. The project is to remove the volleyball court and in the same general location install a smaller pickleball court. Surrounding asphalt pavement would be removed and grasses with seed mix with a shallow

swale created downslope to reduce stormwater runoff and promote infiltration. The location is entirely within the 100-foot buffer to Bordering Vegetated Wetlands.

The project would result in the reduction of impervious surface area within the buffer zone by 1,420 square feet. The Commission took issue with the proposal to allow 64 sf of impervious surface and a section of fencing within the 25-foot buffer to remain and asked if any redesign could be made to return the entirety of the 25-foot buffer to impervious surface. Mr. Tierney stated that the proposed pickleball court could not be moved further into the parking lot due to the need to maintain the number of required parking spaces. Mrs. Brock stated that the project represented a significant improvement within the buffer zone. The Commission asked the Applicant if they would like to continue the hearing to investigate alternative proposals which would eliminate impervious surface area from the 25-foot buffer zone. The Applicants agreed.

A motion was made by Ms. Katz and seconded by Ms. Eggert to continue the hearing to July 12, 2023.

The motion passed 5-0-0.

Notice on Intent: 4 Winchester Drive

Richard Kirby, Senior Wetland Scientist, and Nichole Ferrara, Wetlands Specialist, from LEC Environmental Consultants, Inc., were in attendance to present the project. Vanessa Bullard, homeowner, was also present. Mr. Kirby explained that a wetland survey was conducted and that the entire house falls within the 100-foot buffer zone to Bordering Vegetated Wetlands. The proposal includes constructing a 246 square foot porous paver patio in the backyard and a 214 sf “bump-out” of the back of the house along the 50-foot buffer zone line. Additionally, the construction of a new bulkhead and relocation of the existing air conditioning units is proposed in this area. At the front of the house and just within the outer 100-foot buffer zone, the Applicant is proposing to construct a new covered front porch with steps and walkway extension. All work would take place within existing lawn. In order to compensate for additional impervious surface area, approximately 600 sf of driveway pavement will be removed and replaced with pervious pavement. This will yield a net reduction of impervious surface area by about 169 sf.

A motion was made by Ms. Eggert and seconded by Mr. Richichi to close the public hearing.

The motion passed 5-0-0.

A Motion was made by Ms. Katz and seconded by Mr. Richichi to issue an Order of Conditions.

The motion passed 5-0-0.

Request for Determination of Applicability: 17 Harvard Drive

C.J. and Mellissa Martel, from Martel Crane Service & Tree Removal, were in attendance to present the project. Mr. Martel explained that there are 12 white pine trees of various sizes and location in the back of the house that the homeowners want to remove due to

fears of them falling on people or property. All trees reside within the 100-foot buffer zone to Bordering Vegetated Wetlands.

The Commission asked to see the site plan identifying the location of the trees. The Applicant's site plan was generally inaccurate as to the exact location of the trees. Mr. Summers conducted a site visit previous to the hearing and marked the location and approximate caliper of each tree as shown in the field in relation to the resource area, buffer zones, house, and pool. He presented this to the Commission on screen.

The Commission was generally concerned over the need to remove all 12 trees. Mr. Martel explained that white pines are naturally unsafe and easily susceptible to damage or collapse in strong winds. After some discussion, the Commission determined that it would allow the complete removal of the six trees which fall within 50 feet of the house.

A motion was made by Mr. Richichi and seconded by Mr. Santos to issue a Positive 2b, Negative 3 Determination with the condition that only the six trees marked for removal within 50 feet of the house may be removed.

The motion passed 3-1-1 with Ms. Eggert voting nay and Ms. Katz abstaining.

Notice of Intent: 29 Washington Street

Kyle Cormier, from Oxbow Associates, Inc., and the property owners, Sarah & Jason Desmond, were in attendance to present the project. Mr. Cormier explained that the project is to remove an existing inground pool with surrounding concrete patio and to remove two wood utility sheds all within the grass lawn backyard. The pool and sheds fall within Riverfront, Floodplain, and buffer zones to Bordering Vegetated Wetlands and Bank. The pool area and sheds will be regraded to match existing slopes and grassed. Ms. Desmond stated that all patio and pool materials will be removed from the site.

A motion was made by Ms. Katz and seconded by Ms. Eggert to close the public hearing. The motion passed 5-0-0.

A Motion was made by Ms. Katz and seconded by Mr. Santos to issue an Order of Conditions.

The motion passed 5-0-0.

Notice of Intent: 1 Railroad Avenue

Taylor Dowdy, P.E., from BSC Group and the property owners, Liz & Matt Dillon were in attendance to present the project. The proposed redevelopment project is to construct a 3-story multi-use building containing commercial space, 18 residential units with interior parking, as well as a detached retail building, a surface parking lot, and associated utilities. The Applicant is also proposing improvements to Railroad Avenue including the extension of a public sidewalk, public parallel parking, and the addition of a public park. The lot is currently used as a school bus parking lot and storage area. Activities are proposed within the 100-foot buffer zone to Bordering Vegetated Wetlands which comprises about 31% of the lot with the BVW itself covering about 15%.

Within the 100-foot buffer zone to BVW, the Applicant is proposing to construct new facilities in the same footprint as previous impervious surface. On the eastern half of the site, a 9,500 square foot multi-use building with 3 stores, 18 units, and a 17-space garage is proposed, with commercial space and upgrades to the sidewalk. East of that building will be a parking lot, and an 1,800 square foot retail building. The proposed grassy public park will be located east of the retail building and will contain public bicycle parking and chain link fencing. Vegetated surfaces will be added along the northeastern perimeter of the site between the tree line and retail building/park/parking lot. No work is proposed within the 25-ft buffer zone, and approximately 1,444 square feet of parking lot, sidewalk and the corner of the retail building are proposed within the 50-ft buffer zone. The majority of the 50-ft buffer zone, approximately 5,067 square feet, will remain vegetated within the parcel. Grassy areas will be maintained. The only areas where construction is proposed are within the footprint of previous development outside the existing tree line.

The existing gravel lot generally drains to a pair of catch basins, with the remaining areas draining to the wetland to the northwest. Existing catch basins in the gravel lot connect together and to the existing catch basins within Railroad Ave by underground pipes of varied diameters and materials. Pipes appear to flow southerly off the property, across Railroad Ave, and presumably continue to the local MS4. No treatment or infiltration best management practices currently exist within the present drainage system. The proposed plans will capture and reroute stormwater and runoff to an underground infiltration system to attenuate peak runoff rates, provide treatment of stormwater prior to discharge, and to offer stormwater recharge back to groundwater. As a redevelopment project, the Project has been designed to meet the Massachusetts Stormwater Management Standards to the greatest feasible extent.

The Bedford Department of Public Works Engineers reviewed the NOI and provided technical comments. Some minor concerns which were brought up regarded the size of existing impervious surface, test pit data, potential conflict with existing design plans for a new sidewalk along Rail Road Avenue, and timings used in the HydroCAD analysis.

Patricia Maxwell, resident, commented that she had seen ducks and other birds in the wetland. Mr. Dowdy explained that no work was proposed in the wetland. She also questioned the potential removal of trees along South Road and it was explained that the area in question was outside of the Conservation Commissions jurisdictional area and therefore not under its purview.

In order to allow time for the Applicant to address the technical comments, it was suggested that the hearing be continued. The Applicant agreed.

A motion was made by Ms. Katz and seconded by Mr. Richichi to continue the hearing to July 12, 2023.

The motion passed 5-0-0.

Certificate of Compliance: Pine Hill Crossing, #103-0834

Brad Johnson, P.E., and Fran DeCoste, P.E., from Bohler Engineering were in attendance to explain the project and answer any questions. They stated that the redevelopment project had

been conducted per the approved Order of Conditions and that two outstanding issues had been recently completed. The 25-foot wetland bounds were installed and the stormwater retention pond was expanded to its design capacity as shown on the approved plans.

A motion was made by Mr. Richichi and seconded by Ms. Katz to issue a Certificate of Compliance.

The motion passed 5-0-0.

Minutes:

A motion was made by Ms. Eggert and seconded by Mr. Richichi to approve the minutes of May 10, 2023 as written. The motion passed 5-0-0.

A motion was made and seconded to adjourn the meeting at 8:03 p.m. The motion passed 5-0-0.

Minutes prepared by Jeffrey Summers.

Minutes approved at the meeting of August 9, 2023.