

SEP 6 1994 *df*TOWN CLERK'S OFFICE
BEDFORD, MA**DECISION**

On April 25, 1994, the Zoning Board of Appeals of the Town of Bedford (the "Board") received an application from CMA Architects, Inc. d/b/a Bedford Meadows Associates Limited Partnership (the "Applicant") for a "Comprehensive Permit" to construct Forty (40) units of single-family housing on separate lots, ten (10) of which were to be designated "affordable units" as defined under the Local Initiative Program (LIP) pursuant to the provisions of Massachusetts General Laws, Chapter 40B, Sections 20-23 ("Chapter 40B").

Construction is proposed on a parcel of unimproved land presently owned by Eleanor Asetta and the estate of Angela Langone, Lots 108-K and 108-F, consisting of approximately twenty-eight (28) acres (the "Site") and described in deeds recorded at Middlesex South Registry of Deeds at Book 9526, Page 213, and Book 22091, Page 321.

The Board scheduled a public hearing on the application for 8:00 PM on May 26, 1994 at the Town Hall, 10 Mudge Way, Bedford, MA. Notice of the hearing was duly published and notice was sent to all parties in interest, all in accordance with Massachusetts General Laws Chapter 40A, as made applicable by Chapter 40B.

The public hearing was begun on May 26, 1994 and continued to the evenings of June 9, June 21 and July 21, 1994. The public hearing was closed after the July 21, 1994 session pending submission of additional materials to be received by 4 PM Wednesday, July 27, 1994. Present and attending all portions of the public hearing were the Chairman of the Board, John Caban and Board members Jan Shepard, Charles Theobald, Robert Ellis, and Gordon Feltman.

Open deliberative sessions of the Board were held on August 2, August 18, and on August 23, 1994. At its deliberative sessions, the Board debated the content of this decision and voted to adopt the terms and conditions herein set forth. Pursuant to Chapter 40B, this decision must be rendered no later than September 6, 1994.

I. INITIAL SUBMISSION

Included with the initial submission filed with the Secretary to the Board of Appeals on April 25, 1994 were the following items:

A. Application letter, dated April 25, 1994.**APPLICATION SUMMARY**

- A. AFFORDABLE HOUSING OVERVIEW
 - B. LETTER OF APPROVAL: EOCD
 - C. DEVELOPER, THE CONANT GROUP: COMPANY BACKGROUND
 - D. APPLICATION FEE
 - E. BUYER DISCLOSURE STATEMENT
 - F. SITE CONTROL
2. **SITE DESCRIPTION**
- A. ADJACENT USES
 - B. GROUNDWATER AND FLOODPLAIN
 - C. WETLANDS
 - D. DRAINAGE
 - E. UTILITIES
 - F. CONSERVATION
 - G. LANDSCAPING, FENCING AT DPW YARD

- H. TRAFFIC REPORT
- 3. LIST OF EXCEPTIONS REQUESTED
- 4. ENGINEERING REPORTS
 - GROUNDWATER TESTING
 - DRAINAGE DESIGN
 - SOIL TEST LOGS
- 5. DRAFT COMPREHENSIVE PERMIT DECISION
- 6. LIST OF ABUTTERS
- 7. LIMITED DIVIDEND ENTITY: BEDFORD MEADOWS ASSOC. LIMITED PARTNERSHIP

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C. Original Plans Submitted:

USGS LOCATION MAP
 SITE LOCATION PLAN
 PRELIMINARY SUBDIVISION PLAN
 PRELIMINARY ARCHITECTURAL PLANS

D. Supplementary Information

Based on comments and recommendations received at the May 26, 1994 hearing, the June 9, 1994 hearing, the June 21, 1994 hearing, and the July 21, 1994 hearing, the Applicant submitted additional information and plans, including:

Letter to Bedford Board of Appeals, dated June 1, 1994, addressing:

Dimensional Exceptions
 Delineation of Expansion Areas
 Site Details
 Signatures for Definitive Subdivision Plan
 Re-Sale of an Affordable Home

Letter to Bedford Board of Appeals, dated June 14, 1994, addressing:

Additional Traffic Study
 Pumping Stations
 Lot Sizes
 Groundwater Testing
 Utility Easement to Jeffrey Circle
 Disclosure Agreement
 Exception to Local Wetlands Bylaw

Letter to Bedford Board of Appeals, dated July 13, 1994, addressing:

Typical Sitework Details
 Preliminary Subdivision Plan
 List of Variances
 Disclosure Agreement
 Financial Information
 Filing Fee
 Environmental Report

II. ADDITIONAL INFORMATION

Written recommendations and comments were received from various Town boards and from neighbors, including the following reports and letters:

SEE EXHIBIT LIST ATTACHED TO THIS DECISION

III. FINDINGS OF THE BOARD OF APPEALS

- A. After reviewing the application, hearing the applicant's oral presentation and after evaluating the additional written materials presented to the Board, the Board finds the application to be complete and in compliance with Chapter 40B, and the regulations promulgated thereunder.
- B. There is a need for low and moderate income housing in the Town of Bedford.
- (1) Fewer than 10% of the housing units reported in the last decennial census are subsidized;
 - (2) Less than 1.5% of all the buildable land in Bedford is used for subsidized housing; and
 - (3) The Project will not result in the commencement of construction of low and moderate income housing on more than three tenths of one percent of such land in the Town of Bedford, or ten acres, whichever is larger, in any one calendar year.
- C. The Applicant, based on the documentation furnished to this Board, is eligible to undertake the proposed project under the provisions of Chapter 40B. It is a "limited dividend organization" which has satisfied the site acceptance criteria of the EOCD.
- D. The Applicant's Development, if constructed in accordance with the aforementioned and in compliance with other conditions hereafter recited, shall properly comply with Chapter 40B and will help alleviate the local and regional need for low and moderate income housing. Forty (40) single-family homes are proposed for the site, with ten (10) homes being made available as affordable housing. The affordable homes will be sold to first-time buyers with incomes at or below 80% of the median income published for the Boston Primary Metropolitan Statistical Area (PMSA), as established by the EOCD Local Initiative Program.
- E. The site is located entirely within a use district identified in the Bedford Zoning Bylaws (the "Bylaw") as a Residential District. There are wetlands present on the site, construction in, and in the vicinity of which, will be subject to the Order of Conditions issued by the Bedford Conservation Commission, D.E.P. File Number 103-334.
- F. Construction is proposed on a parcel of unimproved land presently owned by Eleanor Asetta and the estate of Angela Langone, Lots 108-F and 108-K, consisting of approximately twenty-eight (28) acres (the "Site") and described in deeds recorded at Middlesex South Registry of Deeds at Book 9526, Page 213, and Book 22091, Page 321.
- G. The Applicant has requested the following exceptions to the requirements imposed by the Town of Bedford Zoning Bylaws, the Bedford Subdivision Control Regulations, and the Bedford Wetland Protection Bylaw:

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Exceptions to the Bedford Zoning Bylaw

1. Applicant requests an exception to Section 5.1.18, Common Driveways, as follows:

	EXISTING	PROPOSED
5.1.18 (c) Minimum Width	15 feet	10 feet

2. Applicant requests an exception to Section 6.2.1, wherein the Flood Plain/Wetland district area of any lot shall not be used to satisfy more than thirty five percent (35%) of the minimum lot area.

3. Applicant requests an exception to Section 6.2.2, wherein minimum lot area calculations exclude the area between any two points on lot lines which are less than 50 feet apart.

4. Applicant requests an exception to Section 6, Table II Dimension Regulations for a Residence R District, as follows:

	EXISTING	PROPOSED
6.2.2 Minimum Lot Area:	60,000 SF	6,000 SF
6.2.3 Minimum Lot Frontage:	200 feet	40 feet (for single-family) 30 feet (for townhouse)
6.2.5 Minimum Lot Width:	160 feet	40 feet (for single-family) 30 feet (for townhouse)
6.2.6 Front Yards	35 feet	15 feet
6.2.7 Side Yards: (note: Single -family townhomes are designed with a zero-lot line between two independent structural walls. A minimum separation of 30 feet between structures is proposed, in keeping with the intent of a 15-foot sideyard setback.)	15 feet	0 feet
6.2.8 Rear Yards:	30 feet	20 feet

5. Applicant requests an exception to the Building Permit Limitation of Section 12.2.

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Exception to the Rules and Regulations governing the Subdivision of Land

6. Applicant requests an exception from Section 3 whereby an additional Public Hearing may be required for approval of a Definitive Subdivision Plan.
7. Applicant requests an exception to Section 3.3.1.3, requiring staking of 50-foot intervals along the centerline of the proposed roadway.
8. Applicant requests an exception to Section 3.4, Filing Fees, requiring a total fee of \$650 plus \$200 x 40 lots, or \$8,650 for a Definitive Subdivision.
9. Applicant requests a clarification of Section 4.1.2.2, whereby the Covenant (Form D) recorded as a Performance Guarantee will allow a building permit to be issued and a lot to be built upon prior to the installation of ways and services, but which lot may not be conveyed to a buyer until such ways and services are completed.
10. Applicant requests an exception to the requirements of Section 5.2.1.2 (and related Section 3.2.12) wherein provision is required for projection of ways or access to adjoining property which is not yet subdivided "if deemed necessary by the Planning Board".
11. Applicant requests an exception to Section 5.2.1.4 requiring a minimum centerline radius of 150 feet for street curves.
12. Applicant requests an exception to Section 5.2.4.1 requiring that dead-end ways not be longer than 500 feet.
13. Applicant requests an exception from Section 5.4.1, requiring the plan to show a park.
14. Applicant requests an exception to Section 6.2.7, requiring a maximum slope of 3:1 for roadway fill.
15. Applicant requests an exception to Section 6.3.2.4, wherein all catch basins are required to be connected to manholes.
16. Applicant requests an exception to the requirements of Section 6.5.1.1. which requires granite monuments at all front property corners as well as points of change or curvature of ways.

Exceptions to Section 36- Bedford Wetlands Protection Bylaw

17. Applicant requests an exception to the requirements of Section 2.2.2.1, wherein placement of impervious surface is limited to 25% of the Buffer Zone.
18. Applicant requests an exception to the requirements of Section 2.2.2.2, wherein a 25-foot buffer strip is to be maintained from the edge of wetlands.
19. Applicant requests an exception to the requirements of Section 2.2.2.4, wherein five-year monitoring and bonding is required.
20. Applicant requests an exception to the requirements of Section 2.2.2.4, wherein replication is required for the alteration of wetlands not protected under the State Regulations.
21. Applicant requests an exception to the requirements of Section 2.2.1.1, wherein peak velocity of run-off from both a 10-year and a 100-year storm onto abutting land shall not increase. This exception is requested for the individual lots to be created.

IV. DECISION AND CONDITIONS

Based upon the findings of the Board of Appeals, and upon a review of all the information before it, the Board, by a unanimous vote of the members present and eligible to vote, has decided to grant a Comprehensive Permit to CMA Architects, Inc. d/b/a Bedford Meadows Associates Limited Partnership to construct 40 units of housing in accordance with its application and the Preliminary Site Plan, drawn by Whitman and Bingham, dated 07/26/94, except as the same have been previously modified or are modified by this decision, and to grant the following exceptions to local regulations, subject to the following conditions:

- A. In accordance with the grant of this Comprehensive Permit, the Applicant's requested exceptions are disposed of in the following manner (the order in which these exceptions are addressed is consistent with the order of the exceptions requested). In granting or denying the following waivers, the Board recognizes that the standard for review of a Comprehensive Permit has been met and that the granting of exceptions to the subdivision control law, zoning bylaw, and the local bylaws regulating construction adjacent to wetland resource areas may be necessary actions in the public interest, for the overriding need for affordable housing.

Zoning Bylaw

1. Request for exception to Section 5.1.18, Common Driveways: Denied. The Board finds no sufficient justification for waiving this section.
2. Request for exception to Section 6.2.1, minimum lot area in Flood Plain/Wetland district: Granted.
3. Request for exception to Section 6.2.2, minimum lot area calculation: Granted. The Board recognizes the cluster lot concept may result in some narrow lots which do not conform to the standard for area calculation.
4. Request for exception to Section 6, Table II Dimension Regulations: Granted. The Board finds that the dimensions as proposed are in keeping with the cluster concept of the proposed subdivision. No two structures shall be closer than 30 feet apart with the exception of the four townhome structures shown.
5. Request for an exception to Section 12.2, Building Permit Limitation: Granted. The Board finds that the proposal requires that twenty homes may be permitted for building within any one 12-month period. The Board finds this in keeping with the economics of affordable housing.

Subdivision Regulations

6. Request for an exception to Section 3, Additional Public Hearings: Granted. The Board finds that the hearing conducted for this Comprehensive Permit meets the requirements for a hearing conducted in accordance with Chapter 40B. Submission of a Definitive Plan and approval of said plan by the Board, in consultation with other town bodies, shall be a condition of this permit.
7. Request for an exception to Section 3.3.1.3, roadway staking: Granted. The Board finds that the existing cart path and wetlands delineation is sufficient for review of the proposed roadway.
8. Request for an exception to Section 3.4, Filing Fees: Granted. The Board finds that 75% of the standard fee as calculated is appropriate where 25% of the proposed units will be sold as affordable housing.

9. Request for a clarification of Section 4.1.2.2, Performance Guarantee. The Board finds that a posting of a bond or a Covenant and tri-party agreement as negotiated with the Planning Board concurrently with the review of the Definitive Subdivision Plan is sufficient guarantee to allow the issuance of a Building Permit for individual homes prior to the completion of installation of ways and utilities, provided that lots may not be conveyed to a buyer until such ways and services are completed. Completion of a way shall mean installation of all utilities and installation of binder course of paving. Installation of granite curbing and installation of wearing course of pavement may be performed after certificates of occupancy are granted.
10. Request for an exception to Section 5.2.1.2 (and related Section 3.2.12) for access to adjoining property: Granted. The Board finds that the 40-foot wide utility easement is sufficient. The Board decided there shall be no public way connected to Jeffrey Circle. The homes shall be constructed with sprinklers that meet Fire Department requirements.
11. Request for an exception to Section 5.2.1.4, centerline radius of street curves: Granted. The Board recognizes that the loop at the end of the proposed road conforms to the minimum centerline radius required for cul-de-sacs.
12. Request for an exception to Section 5.2.4.1, length of dead-end streets: Granted. The Board finds that sufficient protection via the required sprinklers, fire hydrants, looped water system, and fire alarm street boxes allow a longer than standard road length.
13. Request for an exception to Section 5.4.1, requiring the plan to show a park: Granted. The Board finds that sufficient trails and open space exist within and surrounding the proposed development.
14. Request for an exception to Section 6.2.7, maximum side slope: Granted. The Board recognizes that review by the Bedford Department of Public Works (DPW) will address areas where special slopes treatment and guard rails may be required.
15. Request for an exception to Section 6.3.2.4, catch basin/ manhole design: Granted. The Board recognizes the Bedford DPW request to minimize potential for roadway frost heaves. The proposed design addresses this issue.
16. Request for an exception to Section 6.5.1.1, monumentation: Granted. The Board finds that sufficient survey control is established at roadway intersections and curves, and that further granite monuments may be confusing and repetitive. Steel monuments will locate property boundaries.

Wetlands Bylaw

17. Request for an exception to Section 2.2.2.1, impervious surface: Granted. Only for the area immediately around the Carlisle Road entrance to the development and at the roadway "S" curve at approximately Station 5.00. The Board recognizes that applicant meets this impervious surface requirement with respect to all wetlands protected under the State Regulations except for this area.
18. Request for an exception to Section 2.2.2.2, 25-foot buffer strip: Granted. Only between stations 0 + 0 and 6+00 on the easterly side of the road; between 4+00 and 6+00 on the westerly side of the road; approximately at station 14+00 on the easterly side; and the two areas cited above in paragraph A.17. The Board finds that in some areas of the site this condition cannot be satisfied without the filling and destruction of additional wetlands.

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19. Request for an exception to Section 2.2.2.4, bonding: Granted. The Board finds that a \$7,000 bond for wetland replication in accordance with the Order of Conditions issued by the Bedford Conservation Commission along with the review of the Definitive Subdivision Plan is sufficient. The Board grants a waiver of the five (5) year replication monitoring and reduces it to three (3) years.
 20. Request for an exception to Section 2.2.2.4, replication of wetlands: Granted. Only for the construction of roadway at the entrance to the development and adjacent to Lot 40. The Board finds that proper replication has been proposed for those areas of wetlands as defined under the State Regulations.
 21. Request for an Exception to Section 2.2.1.1, peak velocity of runoff. Granted. The Board finds that the best engineering opinions available to it indicate that there will be no adverse effect to the neighborhood.
- B. The Comprehensive Permit shall provide for the construction of the Project on the proposed site and in the number of units and design as presented to the Board, subject to the following conditions:

1. Definitive Subdivision Plan

The granting of this Comprehensive Permit shall not relieve the applicant of submitting for review and approval a Definitive Subdivision Plan, substantially in conformance with the Preliminary Site Development Plan submitted by Whitman and Bingham Associates, Inc., dated 07-26-94. Said Definitive Plan shall conform to the standards as set forth in Section 3.3 of the Bedford Planning Board's Rules and Regulations Governing the Subdivision of Land. Said plan shall be reviewed by the Planning Board, Department of Public Works, Office of Code Enforcement, Fire Department and Police Department. No construction of site access or site utilities shall be allowed unless and until said Definitive Plan is endorsed by the Zoning Board of Appeals and recorded at the Middlesex Registry of Deeds. Failure to submit and obtain approval of such a Definitive Plan prior to the commencement of construction shall constitute a violation of this Comprehensive Permit.

The Board shall endorse the Definitive Subdivision Plan within 45 days of the date of the filing of the Definitive Plan, provided the Definitive Plan is essentially in compliance with the Comprehensive Permit Site Plan ("Preliminary Site Development Plan") dated 07/26/94 and that the performance guarantee referenced in Section IV.A.9 of this decision has been executed. Any substantial changes from the Comprehensive Permit Site Plan that are shown on the Definitive Subdivision Plan shall require an amendment of the Comprehensive Permit, including a public hearing. A change shall be deemed substantial if it alters the number of lots, the proposed number of units in the affordability program, any of the specific exemptions included in this decision, or any other change considered to alter the intent of the Board of Appeals in granting this permit.

2. Access to Site

- (a) Provide a stacking lane for left-turning traffic leaving the site. Paving shall be striped to delineate two exiting and one entering lane.
- (b) Provide an acceleration lane within the Carlisle Road right-of-way for right-turning traffic leaving the site.
- (c) Provide a widening of Carlisle Road across from the proposed intersection to allow west-bound traffic to pass around cars waiting to make a left-turn into the site.

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- (d) Place stop sign at the intersection of the proposed road and Carlisle Road located with the approval of the Selectmen, Chief of Police and Director of Public Works.

3. Public Health and Safety

(a) Fencing and Landscape at DPW yard

A fence shall be installed along two sides of the DPW yard sufficient in height and construction to deter residents from entering the DPW property. Details of the fencing construction shall be coordinated with the Bedford DPW. Additionally, an evergreen screen approximately 100-feet in length shall be planted along this fencing at its intersection with Carlisle Road to screen the view of the DPW yard from the road and from the homes.

(b) Disclosure Statement

A disclosure to all buyers shall be made at the time of sale, informing residents of the presence of the DPW yard adjacent, the former landfill uses, the presence of a police firing range, and the town of Bedford's reservation of rights to construct additional facilities on the DPW site, all substantially in the form of the applicant's letter attached (Section 1.E of application). The disclosure statement shall also prohibit the installation of water wells on any lots and construction of any additions outside the limits indicated on the definitive plan. Such prohibitions shall be contained on deeds and plot plans. Additionally, disclosure of and requirement to maintain stilling basins as applicable shall be included in the disclosure statement. The proposed disclosure statement shall be provided with the Definitive Plan.

(c) Additions and Expansions

The Applicant shall prepare the Definitive Subdivision Plan and shall indicate thereon the area limits for any single-family home expansion. The Definitive Plan shall indicate the limits of expansion so as to enable a homeowner to build an addition without the need to amend this Comprehensive Permit. The Inspector of Buildings shall review all subsequent permit applications for expansion of the homes for conformance with the intention of the area limits shown on the Definitive Plan.

(d) Water and Waste Distribution

Water and waste distribution facilities and sewer system modification as are required to meet the engineering standards of the Department of Public Works of the Town of Bedford will be included in the Definitive Subdivision Plan and provided by the Developer.

4. Low and Moderate Income Units

Ten (10) of the forty (40) single-family homes proposed for this Project will be sold to first time home buyers under the terms of the Local Initiative Program (LIP).

Local Preference will be given for 70% of the affordable units (7 of the 10 affordable homes). Local preference means that Bedford residents, past Bedford residents, relatives of Bedford residents, or people working for the Town of Bedford will be given preferential treatment, assuming they otherwise qualify for the units. Income limits and prices for these units shall conform to the then-current LIP regulations as amended by EOCD. A lottery method of selection will be utilized for apportioning the affordable units.

After diligent marketing efforts, (including but not limited to affirmative fair marketing and outreach to minorities) should qualified buyers with Bedford affiliations purchase fewer

than 7 of the affordable units, then the Applicant is free to sell the remaining affordable units to any first-time income-qualified affordable buyer, subject to the then-current restriction of the LIP program. Should there be more than 7 qualified buyers with Bedford affiliations, then those who are not selected in the lottery for the Bedford-preferred units can compete for the remaining units.

Deed Restrictions for these affordable units will be place on the affordable homeowners, thereby guaranteeing in perpetuity the availability of these affordable units to income-qualified buyers. Such Deed Restrictions and Regulatory Agreements as are applicable to this Project shall be recorded simultaneously with the Definitive Subdivision Plan prior to the issuance of any building permit.

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V. GENERAL CONDITIONS

- A. This Comprehensive Permit shall expire two (2) years from the date of this decision, unless construction shall have commenced within said period or unless the period has been extended by order of the Board of Appeals for good cause shown. In any event, this Comprehensive Permit shall expire two (2) years after the date of the issuance of the initial building permit for the Project. In event of an appeal the elapsed time from the date the appeal is filed until such appeal is determined will not be included in the two (2) year limitation.
- B. Prior to the issuance of any permit allowing construction of the access roadway, the Applicant shall obtain adequate insurance (including comprehensive general liability insurance) for such damage claims as may result from construction, drainage, and other circumstances affecting abutting or other properties or individuals. A certificate of insurance, satisfactory to the Board, including the amount and the coverage provided shall be provided to the Board prior to the issuance of any permit allowing construction.
- C. In the event the funding agency requires or the Applicant seeks a "substantial change" in the Project, any such change must be presented to the Board for approval and for the modification of this decision. Any substantial changes or modifications to this Comprehensive Permit shall only be made upon written request and upon the holding of a public hearing after which the Board of Appeals may approve or disapprove the requested modifications or amendments to this decision. The Board will determine whether additional input is necessary from other boards and officials in the event of such a substantial change, and will then determine whether the change or requested relief is to be approved and the decision amended accordingly.
- "Substantial change" for the purposes of this paragraph shall include all matters defined as substantial changes in 760 CMR 31.03 (2) (a) as well as any matter which impacts the water resources either on the Site or in the surrounding area. Furthermore, if the Applicant seeks further exceptions from local regulations in a manner not specifically set forth in applicant's submission or not specifically set forth in the terms of this decision, such request shall constitute a "substantial change". The only exceptions from local by-laws, rules or regulations before this Board for the purposes of this Decision are those expressly requested by the Applicant in the Application for a Comprehensive Permit, as granted or denied by the Board herein.
- D. Applicant proposes that the access road be constructed to the standards of the Town of Bedford (as amended by this decision), and that the access road be proposed for acceptance by the Town.
- E. Construction activity may take place only between the hours of 7:00 A.M. and 6:00 P.M., Monday through Saturday.
- F. The Applicant shall submit a at least six (6) complete copies of the final development plans to the Board of Appeals office, to be available to all Town boards.
- G. The Applicant, upon completion, shall submit an "as built site plan" of the Project both to the Planning Board and the Building Inspector.

VOTE OF ADOPTION

The Board, by the unanimous vote of the members present and eligible to vote, adopts the foregoing Decision and hereby GRANTS the requested Comprehensive Permit, subject to the conditions and limitations set forth herein. This Decision is made as of the ~~6th~~ ^{6th} day of September 1994.

The Board has complied with all statutory requirements for the issuance of this Comprehensive Permit.

A copy of this Decision will be filed with the Town Clerk. Copies of this Decision have been or will be mailed to all parties, person or boards as required by Massachusetts General Laws Chapter 40A.

Any appeal from this Decision by a party other than the Applicant shall be made pursuant to Massachusetts General Laws Chapter 40A, Section 21 and must be filed within twenty (20) days after the decision has been rendered by the Board.

The Comprehensive Permit granted by this Decision shall not take effect until after the appeal period has run. Prior to any work being undertaken pursuant to this permit, a copy of the Decision shall be recorded at the applicant's expense in the proper Registry of Deeds and duly indexed or noted on the owner's certificate of title if registered land. A copy of the recorded or filed decision certified by the Registry, and notification by the owner of the recording, including recording information, shall be furnished to the Board.

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SIGNATURE PAGE OF BOARD OF APPEALS
BEDFORD MEADOWS ASSOCIATES LIMITED PARTNERSHIP
DECISION

John Caban
John Caban, Chairman

Jan Shepard
Jan Shepard

Charles Theobald
Charles Theobald

Robert Ellis
Robert Ellis

Gordon Feltman
Gordon Feltman

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BEDFORD, MA

LIST OF EXHIBITS

BY _____

COMPREHENSIVE PERMIT "BEDFORD MEADOWS"

PETITION NUMBER 038-94

EXHIBIT A: Letter to John Caban, Zoning Board of Appeals from
Adrienne St. John, Public Works engineer, dated May
26, 1994

ATTACHMENTS: A-1: Letter to Richard Warrington, D.P.W.
Director from Bruce Stamski, P.E., Stamski & McNary, Inc.
dated May 26, 1994

A-2: Letter to Richard Reed, Town Administrator
from Richard Warrington, D.P.W. Director dated February 3,
1994.

EXHIBIT B: Letter to John Caban, Chairman, Board of Appeals from
Val Asbedian, Chairman, Selectmen, dated by the Board
on 05/26/94

ATTACHMENTS: B-1: Letter to Mary Padula, Secretary,
Executive Office of Communities and Development from John
McCulloch, Chairman, Selectmen, dated February 11, 1994

B-2: Letter to John McCulloch, Chairman,
Selectmen, dated April 4, 1994 (received April 6, 1994)
from Mary Padula, Secretary, EOCD

B-3: Disclosure Statement for Bedford Meadows
Affordable Housing Proposal

B-4: Letter to Richard T. Reed, Town
Administrator from Peter Conant, CMA Architects, dated
February 16, 1994, received Feb. 18, 1994.

EXHIBIT C: Memorandum to the Zoning Board of Appeals from the
Bedford Planning Board, dated May 26, 1994

ATTACHMENTS: C-1: Letter to Richard Joly, Planning Director
from Michael C. Lehane, Town Counsel dated May 2, 1994.

EXHIBIT D: Letter to the Zoning Board of Appeals from Zella
Edwards-Elizenberry and Susan Moody for the Bedford
Housing Partnership dated May 25, 1994.

EXHIBIT E: Letter to the Zoning Board of Appeals from Robert
Getter, Vice-chairman of the Bedford Conservation
Commission dated May 23, 1994.

ATTACHMENTS: E-1: Isolated areas subject to wetland
regulation (under local bylaw).

EXHIBIT F: Letter to Board of Appeals from David Black, Board of
Health Director dated May 23, 1994.

ATTACHMENTS: F-1: Applicant's copy
F-2: Memo from Town Administrator

EXHIBIT G: Memo to John Caban, ZBA, from Ron Wetmore, Code
Enforcement Director, dated May 25, 1994.

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- EXHIBIT H: Memo to Bedford Zoning Board of Appeals from Lt. David Kansen, Bedford Fire Department dated May 24, 1994.
- EXHIBIT I: Flood information submitted by residents:
"Floods in Bedford, MA," September 1968, pamphlet photographs.
- EXHIBIT J: Letter to Zoning Board of Appeals regarding additional information and answers to information discussed on 06/09/94, dated June 14, 1994 from CMA Architects.
- EXHIBIT K: Letter to Bruce Stamski, Stamski & McNary, Inc. from William Hannigan, P.E., Whitman & Bingham
ATTACHMENTS: K-1: Letter to Richard Warrington, D.P.W. Director from Stamski & McNary dated June 17, 1994.
- EXHIBIT L: Traffic Count No. 2, dated June 10, 1994
- EXHIBIT M: Lot Areas, June 20, 1994, CMA Architects, Inc.
- EXHIBIT N: Carlisle Road Landfill & Putnam Road Wellfield prepared by: Goldberg-Zoino & Associates, Inc., June 1986.
- EXHIBIT P: ANALYTICAL RESULTS to GeoSearch Inc. & CMA Architects from American Environmental Laboratories, Inc. dated 06/08/94.
- EXHIBIT Q: Preliminary Site Development Plan. drawn by Whitman & Bingham Associates, dated April 25, 1994, "Revise portions of roadway and relocate duplex units, drawn by WDH dated 06/17/94."
- EXHIBIT R: TYPICAL SITE WORK DETAILS for Bedford Meadows dated June 27, 1994 (contents= 1-14).
- EXHIBIT S: Letter to the Bedford Conservation Commission from Peter Conant, CMA Architects, dated June 15, 1994 regarding Information requested under 310.4 CMR and under the local Bylaw.
ATTACHMENTS: S-1: Revised Drainage Analysis prepared by Whitman and Bingham Assoc., June 9, 1994
S-2: Construction Sequence, Bedford Meadows
S-3: Maintenance Plan for Drainage Structures, Bedford Meadows
S-4: Preliminary Site Development Plan, April 25, 1994; Revise Portions of Roadway and Relocate Duplex Units drawn by WDH, dated 06/17/94
S-5: Preliminary Site Development Plan, April 25, 1994; Wetlands Replication and Erosion Control drawn by WDH, dated 06/21/94.

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- EXHIBIT T: Town of Bedford Application for Local Initiative Program, Carlisle Road Affordable Housing, submitted to EOCD Feb. 1, 1994, CMA Architects, Inc.
- EXHIBIT U: Letter to Richard Warrington, Director, D.P.W., from Bruce Stamski, Stamski & McNary, Inc., dated June 17, 1994 received by the D.P.W. on June 20, 1994.
- EXHIBIT V: Letter to Bedford ZBA from CMA Architects, Peter Conant, dated July 13, 1994 outlining information requested at June 21 meeting.
- EXHIBIT W: HYDROGEOLOGIC ASSESSMENT prepared by GZA GeoEnvironmental, Inc., dated June 1994
- EXHIBIT X: BEDFORD MEADOWS AFFORDABLE HOUSING LIST OF EXCEPTIONS REQUESTED, dated July 13, 1994
- EXHIBIT Y: Letter delivered by hand to Richard Joly, Planning Director, from CMA Architects, Peter Conant, dated July 19, 1994.
ATTACHMENTS: Y-1: "Controlling Urban Runoff"
- EXHIBIT Z: Letter to the Zoning Board of Appeals from the Bedford Fire Department, dated July 19, 1994
ATTACHMENTS: Z-1: To the ZBA from Lt. David Hansen dated May 24, 1994.
- EXHIBIT AA: Letter to Kevin O'Toole, David Hansen, Bedford Fire Department (fax copy) from CMA Architects, Peter Conant, date July 20, 1994.
- EXHIBIT BB: Lot Areas, Bedford Meadows
- EXHIBIT CC: Memo to Richard Reed, Town Administrator and John Caban, Chairman, ZBA from Richard Warrington dated July 20, 1994.
- EXHIBIT DD: To the ZBA from Town Administrator Richard Reed dated July 20, 1993.
ATTACHMENTS: DD-1: Letter from William Waterhouse to town Administrator dated June 10, 1994.
DD-2: Response letter to Richard Reed, Town Administrator, re: Bedford Meadows dated June 29, 1994.
- EXHIBIT EE: To Bedford Board of Appeals from the Board of Health, David Black, Director date July 21, 1994
- EXHIBIT FF: To Zoning Board of Appeals from the Planning Board dated July 21, 1994