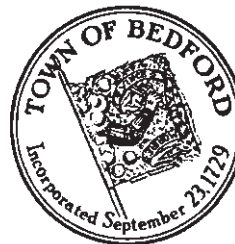


TOWN OF BEDFORD  
BEDFORD, MASSACHUSETTS 01730



*Doreen Tremblay, Town Clerk*

Town Hall  
10 Mudge Way  
Bedford, Mass. 01730  
781-275-0083  
doreent@town.bedford.ma.us

Date: August 13, 2004

Petitioner Name: Pamela Brown for BDB Realty Trust

Location of Property: 18 Springs Road  
Petitioner Number: 008-04

This letter certifies that twenty days have elapsed since the decision of the Zoning Board of Appeals was filed in the Office of The Town Clerk and no appeal has been filed.

Attest:

Doreen Tremblay  
Town Clerk

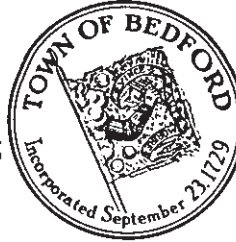


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Book 21779  
p. 115

Brown + Brown, PC  
110 Great Road  
Bedford, MA 01730

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TOWN CLERK



**THE BOARD OF APPEALS** 03 DEC 18 PM 1:15

TOWN HALL  
10 MUDGE WAY  
BEDFORD, MASSACHUSETTS 01730

PETITION NUMBER: 008-04  
PETITIONER: Pamela Brown for BDB Realty Trust  
LOCATION OF PROPERTY: 18 Springs Road, Bedford, Massachusetts  
MEMBERS VOTING: Robert Ellis, Chairman, Jeffrey Cohen, Clerk and Charles Theobald.

MOTION: To grant to Patriot Place, LLC, a Comprehensive Permit for 10 housing units at 18 Springs Road under the Local Initiative Program (LIP) of M.G.L. c. 40B and the Comprehensive Permit Rules of the Zoning Board of Appeals of the Town of Bedford subject to the Conditions of Approval set forth in Chapter III of this Decision.

VOTING IN FAVOR

VOTING IN OPPOSITION

*Charles E. Theobald*  
\_\_\_\_\_  
*Jeffrey M. Cohen*  
\_\_\_\_\_  
*Robert Ellis*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This vote was taken on December 4, 2003. Approval of this Motion for a Comprehensive Permit requires a majority vote of the Board.

The Bedford Zoning Board of Appeals voted 3 to 0 to grant this Comprehensive Permit.

The Board and the Petitioner have complied with all statutory requirements for the issuance of this Comprehensive Permit on the terms hereinafter set forth. A copy of this decision will be filed with the Bedford Town Clerk and will be mailed to all parties, persons or boards as required by Massachusetts General Laws Chapter 40A.

The decision was filed in the Office of the Town Clerk on 18 Dec., 2003. Any appeal from this decision by any party other than BDB Realty Trust shall be made pursuant to Massachusetts General Laws Chapter 40B, Section 21 and must be filed within twenty (20) days after the initial filing of the Decision with the Town Clerk.

**A TRUE COPY ATTEST**  
*[Signature]*  
Town Clerk

The Comprehensive Permit granted by this decision shall not take effect until a copy of the decision bearing the certification of the Town Clerk that twenty (20) days have elapsed after the decision has been filed in the Office of the Town Clerk and no appeal has been filed within said twenty (20) days, or that it has been dismissed or denied, and is recorded in the Middlesex Registry of Deeds for this district. The fee for recording or registering shall be paid by the Petitioner. A copy of the recorded decision certified by the Registry, and notification by the Petitioner of the recording, shall be furnished to the Board.

PETITION NUMBER: 008-04

PATRIOT PLACE COMPREHENSIVE PERMIT  
CHAPTER I. FINDINGS

A. PROCEDURAL HISTORY

On July 1, 2003, Pamela J. Brown, Esq. on behalf of BDB Realty Trust (the "Petitioner"), applied to the Town of Bedford Zoning Board of Appeals (the "Board") for a Comprehensive Permit under the Local Initiative Program (LIP) of M.G.L. c.40B to construct 10 housing units on a property located at 18 Springs Road, Bedford, Massachusetts ("Patriot Place") [11].

By mutual consent the first public hearing was held on 24 July 2003 [58]. The public hearing was advertised in the Bedford Minuteman on 10 July and 17 July 2003. All Town Boards were notified of the hearing and were requested to comment on the proposed Comprehensive Permit as required by 740 CMR 31.02 and the Town of Bedford Zoning Board of Appeals Rules and Regulations for a Comprehensive Permit.

Additional public hearings were held on 14 August [59], 11 September [60], 9 October [61], 13 November [62], 4 December 2003 [63] and 11 December 2003 [64]. On 13 November 2003, the Board voted to close the public hearing and start deliberations. On 4 December 2003, the Board met again to vote to grant the Comprehensive Permit with conditions. The Board continued the meeting to December 11, 2003, 7:15 PM for the members to sign the document. A copy of the decision was filed with the Town Clerk on December 18, 2003.

Present from the Board at all public hearings and voting on the petition were Robert Ellis, (chairman), Jeffrey Cohen (clerk), and Charles Theobald (member).

B. EVIDENCE

In making its findings and reaching decisions, the Board considered evidence presented at the public hearings and evidence placed in the public record prior to the closing of the public hearing on 13 November 2003. The Board received comments from Town Boards [15,16,23,26,29,30,31,35,36,37,40,43,44,45,46,50,52,56]. The record includes, but is not limited to, the documentation listed in Chapter II.

C. FINDINGS

1. Jurisdictional Requirements

Project eligibility has been established by a letter received from the Massachusetts Department of Housing & Community Development (DHCD) approving the application under the Local Initiative Program [1]. On July 1, 2003, the

Petitioner provided the Board with a certificate of Limited Liability Company, establishing that the Company is a Limited Dividend Organization, as required by 760 CMR 31.01 [7]. Site control has been established through receipt of a deed showing outright ownership. [57].

## 2. Statutory Minimum for Low and Moderate Income Housing

The Petitioner asserts that the Town of Bedford has not met the statutory minimum 10 percent threshold for low and moderate-income housing as defined by M.G.L. c.40B and 760 CMR 31.04.

At the 28 February 2003 public hearing, Mr. Gordon Feltman, Bedford Board of Selectmen, confirmed that the Town's affordable housing was approximately 4.6 percent of the town-wide housing inventory.

The Board finds that the Town of Bedford has not met the statutory minimum affordable housing required by M.G.L. c.40B.

## 3. Project Description

The project site is identified as 18 Springs Road, [54A] a lot containing 25,001 +/- square feet of land area, substantially as shown on "Site Layout and Grading Plan", Drawing No. C.2A, signed and sealed, dated 10/27/03. No road will be constructed to serve the proposed apartment building. A driveway and parking lot to serve the units will be provided from Springs Road. The Petitioner proposed to build ten (10) one-bedroom apartment units within a single residential style structure on the lot. Site drainage will be accommodated via a system of catch basins and infiltrators.

## 4. Exceptions from Local By-Laws

### 4.1 Exception from Section 8.2.2.1 - Housing Density

The Petitioner proposes to build 10 housing units on 25,001 +/- square feet of land, constituting 17 units/acre.

The Board finds that a Comprehensive Permit allows higher housing densities than permitted by local By-laws. Bedford has not met the statutory minimum affordable housing required by M.G.L. c.40B. The proposed housing density of 10 units on 25,001 +/- square feet, consisting 17 units/acre, is acceptable because: the project has direct access to public transportation; fifty percent (50%) of the units are affordable; the project is close to the center of town and is of limited project size.

### 4.2 Exception from Table II Dimensional Regulations - Front Yard Setback

The Petitioner proposes to reduce the front yard setback such that a portion of the building will be located 25 feet in lieu of the required 35 feet from the front yard property line.

The Board finds that such a front yard setback reduction is acceptable in that it will increase the building separation from rear (westerly) abutting properties.

### 4.3 Exception from Section 7.4.2.4 - Layout and Setback

The Petitioner proposes to locate the parking lot driveway immediately adjacent to the south side property line in lieu of the required 10-foot setback from the property line.

The Board finds that such a reduction in parking lot driveway setback is acceptable in that it will increase the building separation from the side (northerly) abutting property.

#### 5. Traffic Issues

The Board heard public comment and received concerns regarding the heavy traffic volume on Springs Road at certain times of day.

The Board finds that the added 66 daily vehicle trips (5 morning and 6 evening peak hour trips) will not have a significant impact on the traffic on Springs Road.

The Board finds that line-of-sight at the proposed driveway exceeds the requirements for actual speeds and the posted speed limit of 25 miles per hour. Said driveway shall only be used for residential purposes.

#### 6. Drainage Issues

The neighbors expressed concern about the potential impact of the development on groundwater levels and on abutting properties.

The Petitioner's engineer has indicated that the proposed drainage system will be installed above the seasonal high groundwater elevation and that the precipitation falling on the site will infiltrate similar to existing conditions. The Town Engineer has not questioned the design. The Board accepts the proposed drainage system as proposed by the Petitioner.

PETITION NUMBER: 008-04PATRIOT PLACE COMPREHENSIVE PERMIT  
CHAPTER II. DOCUMENTS

[1] Commonwealth of Massachusetts Department of Housing & Community Development letter of approval, dated June 13, 2003, addressed to Ms. Pamela J. Brown, Brown & Brown, P.C., 110 Great Road, Bedford, MA and Ms. Catherine Cordes, Chair, Board of Selectmen, Town Hall - 10 Mudge Way, Bedford, MA, RE: Patriot Place, Bedford Local Initiative Program Determination of site eligibility and preliminary approval under LIP. (marked Attachment A in application)

[2] Patriot Place - Bedford, locus map. (marked Attachment B in application)

[3] Patriot Place site layout, grading & drainage plan (C.1) by Grazado Velleco Architects. (marked Attachment C in application)

[4] Patriot Place floor plans (A.1) by Grazado Velleco Architects. (marked Attachment D in application)

[5] Patriot Place Exterior Elevations (A.2) by Grazado Velleco Architects. (marked Attachment E in application)

[6] Patriot Place Project Summary Information (marked Attachment F in application)

[7] Patriot Place, LLC, Certificate of Organization, filed Nov. 15, 2002, Secretary of the Commonwealth Corporations Division, Signed by Bruce Blake and Dorothy Blake, 11 November 2002. (marked Attachment G in application)

[8] The Massachusetts Housing Partnership Fund Permanent Plus Program Summary of Terms (marked Attachment H in application)

[9] Letter from Eaglebank dated February 20, 2003, addressed to Bruce M. Blake, BDB Realty Trust, 17 North Road, Bedford, MA, Re: Lot 18 Springs Road, Bedford, MA (marked Attachment I in application)

[10] Local Initiative Program Regulatory Agreement and Declaration of Restrictive Covenants for Rental Project Patriot Place, Springs Road, Bedford (marked Attachment J in application)

[11] The Bedford Zoning Board of Appeals application for Comprehensive Permit under the Local Initiative Program for 10 units of affordable housing dated July 1, 2003 and received by Town of Bedford Town Clerk, July 1, 2003.

[12] Local Initiative Program Application, Patriot Place, Springs Road, Bedford, Massachusetts, LIP Application Narrative.

[13] Abutters list request certified and dated 7/7/03, and list of abutters.

- [14] Project Highlights Patriot Place, Springs Road, Bedford
- [15] 7/23/03 letter from Adrienne St. John, DPW Engineer to ZBA
- [16] 7/24/03 (ltr. dated 8/24 in error) Lt. Grunes, Fire. Dept. to ZBA
- [17] 7/24/03 Carol Carlson to ZBA
- [18] 7/25/03 Carol Carlson (withdrawal letter) to ZBA
- [19] 8/7/03 Joyce and Savvas Makrides to ZBA
- [20] 8/12/03 Doris Webber to ZBA
- [21] 8/12/03 Doris Webber to HDC
- [22] 8/12/03 Lee Vorderer to Bob Fagan, Planning Board
- [23] 8/12/03 Historic District Commission, Bill Moonan to ZBA
- [24] 8/13/03 Pamela Brown, Esq. -response to comments  
(incl. reduced site plan dated 8/11/03) and response to  
Planning Board Memo (8/13/03) to ZBA and Planning Board
- [25] 8/13/03 Lee Vorderer and Bob Bass to R. Fagan, Planning Board
- [26] 8/14/03 Historic Preservation Commission, Donald Corey to ZBA
- [27] 8/14/03 Peter Grey to ZBA
- [28] 8/14/03 Mr. Brand, Ms. Ahern, Mr. & Mrs. Makrides,  
Mr. & Mrs. Grey, Ms. Fardy to Planning Bd.
- [29] 8/14/03 Robert Fagan, Planning Bd. Chairman to ZBA
- [30] 8/14/03 Chris Laskey, Bldg. Inspector (synopsis) to ZBA
- [31] 8/29/03 Lt. Grunes, Fire Dept. --revised site plan & fire  
protection system(s) to ZBA
- [32] 9/2/03 New England Nurseries to Pl. Bd./ZBA
- [33] 9/8/03 Pamela Brown --response to comments to ZBA
- [34] 9/9/03 Cuoco & Cormier Eng.-re: drainage to ZBA
- [35] 9/10/03 Adrienne St. John, DPW re: 5-ft. easement to ZBA
- [36] 9/10/03 Richard Joly, Planning Board Director re: common driveway,  
bldg. design, dumpster, drainage & landscape information to  
ZBA
- [37] 9/10/03 Jaccqueline Edwards, Chair, Bedford Arbor Resources  
Committee to ZBA
- [38] 9/10/03 Abend Assoc. - re: traffic



- [39] 9/22/03 Rich Joly, Director, Planning Board  
Copy of previously submitted letter with a change. to  
Planning Bd.
- [40] 9/26/03 Lt. David Grunes, Fire Dept. to ZBA
- [41] 10/2/03 Bruce and Dottie Blake to Robert Brand
- [42] 10/7/03 Pamela Brown, Esq.  
Response to comments, including Drainage Summary, computer  
photo rendering of Patriot Place, A.1-floor plans, A.2-  
exterior elevations, C.2A-site layout, grading & drainage  
plan, C.2B-landscaping site plan. to ZBA
- [43] 10/8/03 Historic Preservation Commission to ZBA
- [44] 10/9/03 Historic District Commission to ZBA
- [45] 10/9/03 Adrienne St. John, DPW Engineer to ZBA
- [46] 10/9/03 Arbor Resources Committee to ZBA
- [47] 10/10/03 Extension of Time Agreement for hearing to be  
continued to 11/13/03.
- [48] 10/29/03 Lee Vorderer to ZBA & Planning Board
- [49] 11/6/03 Joyce & Savvas Makrides to ZBA
- [50] 11/7/03 A. St. John, DPW, sidewalk and intersection to ZBA
- [51] 11/7/03 Pam Brown, Trees-Patriot Place footprint  
(email) to Bruce Blake and Jacqueline Edwards
- [52] 11/11/03 Historic District Commission to ZBA
- [53] 11/12/03 Peter Grey to ZBA
- [54] 11/12/03 Pam Brown-responses to ZBA
- [54A] Site Layout, Grading and Drainage Plan marked Drawing C.2A,  
Patriot Place, Springs Road, signed and sealed, dated  
10/27/03 by Cuoco & Cormier.
- [54B] Landscaping Site Plan, marked Drawing C.2B, Patriot Place,  
Springs Road, signed and sealed, dated 10/27/03 by Cuoco &  
Cormier.
- [54C] Floor Plans, marked Drawing A:1, Patriot Place, Springs  
Road, revision dated 9/11/03 by Cuoco & Cormier.
- [55] 11/13/03 Pam Brown, Response to Peter Grey's  
Nov. 12 letter to ZBA
- [56] 11/13/03 Arbor Resources Committee to ZBA

- [57] Copy of statutory form of Quitclaim Deed
- [58] Town of Bedford Board of Appeals, Patriot Place meeting minutes dated July 24, 2003.
- [59] Town of Bedford Board of Appeals, Patriot Place meeting minutes dated August 14, 2003.
- [60] Town of Bedford Board of Appeals, Patriot Place meeting minutes dated September 11, 2003.
- [61] Town of Bedford Board of Appeals, Patriot Place meeting minutes dated October 9, 2003.
- [62] Town of Bedford Board of Appeals, Patriot Place meeting minutes dated November 13, 2003.
- [63] Town of Bedford Board of Appeals, Patriot Place meeting minutes dated December 4, 2003.
- [64] Town of Bedford Board of Appeals, Patriot Place meeting minutes dated December 11, 2003.
- [65] Plan showing existing 7 trees (marked Exhibit K)

PETITION NUMBER: 008-04

PATRIOT PLACE COMPREHENSIVE PERMIT

CHAPTER III. GRANT OF COMPREHENSIVE PERMIT AND CONDITIONS OF APPROVAL

Based upon the findings of the Board, the Board finds that the project is consistent with the local needs of the Town of Bedford and therefore grants to the Petitioner a Comprehensive Permit to construct 10 housing units in accordance with M.G.L. c. 40B and its implementing regulations 760 CMR c.30-31, as well as the Comprehensive Permit Rules of the Zoning Board of Appeals of the Town of Bedford, subject to the Conditions and Limitations set forth in this Decision.

A. General Conditions

The Comprehensive Permit is granted based on the latest issue of an Application and Site Plan entitled "Patriot Place, Springs Road, Bedford, Massachusetts", Drawing No. C.2A, dated June 30, 2003 drawn by Cuoco & Cormier Engineering Associates and Grazado Velleco Architects, including all revisions dated through October 24, 2003 and hereinafter referred to as The Site Plan and as modified by this Decision, signed and sealed, dated October 27, 2003.

1. The Comprehensive Permit incorporates in Section III.B requested exceptions from zoning by-laws and subdivision control regulations. In granting or denying these exceptions, the Board recognizes that the legal requirements for issuing a Comprehensive Permit have been met, and that the granting of exceptions from local zoning by-laws, subdivision rules and regulations and general by-laws may be necessary

in the public interest, for the overriding need to provide affordable housing.

2. The Comprehensive Permit is subject to the Town of Bedford receiving a recorded copy of all easements, restrictions and other legal documents.
3. The project shall consist of 10 housing units on 25,001 +/- square foot lot as shown on the set of drawings titled "Patriot Place, Springs Road, Bedford, Massachusetts" dated June 30, 2003 drawn by Cuoco & Cormier Engineering Associates and Grazado Velleco Architects, including all revisions dated through October 24, 2003 and as revised by this Decision.
4. The development shall consist of ten (10) one-bedroom, rental apartment units. The ownership and occupancy of said units shall comply with the Massachusetts Division of Housing and Community Development (DHCD) Guidelines, in effect on the date of the application.
5. Five (5) of the rental units shall be designated "affordable" (as defined by The Department of Housing and Community Development (DHCD) and as herein defined in Condition A.7. A rental agreement rider with this provision, approved by DHCD, shall be attached to each lease.
6. All market-rate and affordable rental units shall remain rental units in perpetuity. A covenant with this provision, approved by Town Counsel, shall be recorded in the registry of deeds prior to the issuance of an occupancy permit for any unit. At least three (3) of the affordable units shall remain affordable in perpetuity. Two (2) additional affordable units shall remain affordable so long as the Town of Bedford Community Preservation Act (CPA) loan is outstanding, but not less than 20 years.
7. The owners of Patriot Place shall be responsible for the maintenance of Patriot Place, including but not limited to all structures, drainage structures, driveways, parking areas and landscaping.
8. Except as modified by this Decision, the Patriot Place development shall be built according to 780 CMR, The Massachusetts State Building Code, (Edition in full force and effect as of the date of this decision), the Town of Bedford Zoning By-Laws, Rules and Regulations Governing the Subdivision of Land, and according to local Wetlands By-Laws, except as specifically allowed by the Bedford Conservation Commission.

## B. Exceptions from Local Regulation

### 1. Zoning Exceptions

The Board waives the following Zoning Bylaw provisions as set forth below:

- a. Waiver from Section 8.2.2.1 Permissible Density: The Board permits a density of ten (10) one-bedroom dwelling units on 25,001 +/- square feet of land, pursuant to submitted plans, substantially as shown on "Site Layout and Grading Plan", Drawing No. C.2A, signed and sealed, dated 10/27/03[54A].

- b. Waiver from Table II Dimensional Regulations - Minimum Front Yard: The Board permits a reduction of front yard setback from 35-feet to 25-feet, pursuant to submitted plans, substantially as shown on "Site Layout and Grading Plan", Drawing No. C.2A, signed and sealed, dated 10/27/03[54A].
- c. Waiver from Section 7.4.2.4 Minimum Setback between Parking Area and South Side Property Line: The Board permits location of the driveway immediately adjacent to the south side property line, pursuant to submitted plans, substantially as shown on "Site Layout and Grading Plan", Drawing No. C.2A, signed and sealed, dated 10/27/03[54A].

## 2. Exceptions from Local Fee Schedules

Building Permit Fee, Sewer Connection Fee, Electrical and Plumbing Permit Fees: WOULD BE GRANTED subject to the Board of Selectmen approval. The Zoning Board recommends a 50% reduction of building permit fee, sewer connection fee, electrical, gas and plumbing permit fees for the development.

### C. Site Design

1. The site layout shall substantially conform to the Site Plans noted in Paragraph A.1 and as modified by this Decision.
2. The Historic District Commission shall be involved in the final selection of the type, number and location of outdoor lighting fixtures.
3. The Petitioner shall provide a permanent easement of variable width (approximately 8 feet) adjacent to Springs Road to facilitate public roadway improvements, including street widening, sidewalk and/or construction of a stonewall to be designed by the Town Department of Public Works ("DPW").
4. Until such time as the stonewall is reconstructed, the Petitioner will maintain the existing stonewall remnants along Springs Road, by keeping it clear of debris, and will utilize rocks excavated from the site to be placed in sections of the wall that have fallen down.
5. A walkway will be extended from the front entrance of Patriot Place to the front lot line as shown on the Site Plan. The construction of this walkway extension will be constructed and coordinated with the DPW at the time of the DPW construction of the roadway improvements.

### D. Drainage and Storm Water Management

1. The Petitioner shall design and install the proposed infiltrators so as to provide a minimum two feet separation between the bottom of the structure and the estimated seasonal high groundwater level and shall maintain said infiltrators in good working order. Final design of the drainage system shall be approved by the Town Engineer.
2. On-site snow storage areas as shown on the Site Plan shall be located so as not to create run-off onto abutting properties or public ways. Snow removal operations shall be conducted in such a manner so as not to cause snow to be deposited on any public ways or abutting properties.

F. Building Design and Final Plan Review

1. The building will be situated on the lot in substantial compliance with the submitted plans, maintaining front, side and rear setbacks as shown on item [54A], the Site Plan.
2. All ten (10) apartment units shall be located in one building and shall include one (1) bedroom each. Construction shall be substantially in accordance with the submitted floor plans.
3. Roof penetrations shall be placed at the rear of the building so that they are not visible from Springs Road.
4. Siding will be of cedar clapboard. In the event that a different siding material is proposed, the Petitioner agrees to seek review and approval from the Historic District Commission.
5. Entrance doorways will be six-panel solid wood with side lights, as shown on the Plans.
6. The attic and basement shall not be used for living space.
7. The building height shall not exceed 30 feet, measured to the ridgeline.
8. The Petitioner agrees to return to the Historic District Commission to review and approve paint color, lighting fixtures and building hardware when these details are specifically identified.
9. The dumpster and recycling area shall be enclosed by wooden stockade fence with gates, as shown on the Plans.
10. The dumpster will be of a type that contains a rubber lid to limit noise during use.
11. Prior to issuance of a building permit, the Petitioner shall submit a detailed set of building plans acceptable to the Town of Bedford Building Inspector. Said definitive plans shall be in substantial compliance with all conditions of this decision.
12. Changes in the plans following the issuance of this decision shall be submitted to the Town of Bedford Building Inspector, who may approve minor changes. If the Building Inspector, in his opinion, determines that the proposed change is a major change, the Petitioner shall appear before the Board and present the change for review and approval.
13. Any substantial changes or modification to this Comprehensive Permit shall only be made by the Board upon written request and upon holding a public hearing in accordance with the Comprehensive Permit Rules of the Town of Bedford.

G. Parking, Tree preservation, Landscaping and Buffers

1. Parking shall be located to the side and rear of the site as shown on the submitted plans. A total of 8 spaces (including one handicapped space) shall be located at the side; 7 spaces shall be

located at the rear. Parking area shall be posted as for residents and visitors only.

2. The two trees identified for preservation on Exhibit K [65] shall be flagged and protected from damage during construction.
3. A landscape buffer shall be installed and maintained between the properties to the north and west of the building. A staggered row of arborvitaes will be planted in accordance with the landscape plan along the north property line. A similar staggered row of arborvitaes (or alternatively, at the request of the abutters, a fence or combination of landscape elements) will be installed along the west property line.
4. A minimum of 14 feet will remain in an undeveloped state (except for landscaping) between the edge of the parking lot and the property line to the west.
5. Additional landscaping shall be provided in substantial compliance with the Landscape Plan submitted. The landscape island adjacent to the south side parking area shall be maintained to the greatest degree possible to buffer the parking area from views from the street, while providing adequate visibility to provide safe access and egress from these parking spaces.
6. Except for the curb cut for the driveway, no trees will be removed from Town land without further permission from the Town of Bedford. The Petitioner shall retain a ten-foot wide strip between the Springs Road pavement that will not be clear cut. The Petitioner shall also preserve a five-foot strip of trees at the west property line.

#### H. Dwelling Unit Fire Protection

1. A Fire protection sprinkler system shall be installed in the building in accordance with the State Building Code. The Bedford Fire Department will review and approve the proposed design.

This Decision with its conditions shall be recorded with the Registry of Deeds. The decision shall run with the land and be binding on the Petitioner and/or its successors and assigns.

