

Town of Bedford
Historic District Commission Minutes
April 4, 2023

A meeting of the Bedford Historic District Commission was held on Tuesday, April 4, at the BCTV meeting room at 10 Meetinghouse Road, Bedford. Present were Lori Radke (Town Council Representative), David Clark (alternate), Kelly Tope (member), William Carter (Town Council alternate), Elaine Tefft (member), Steve Clough, (Planning Board liaison), Jillian Harris (Assistant Planning Director). Absent were Joe Vaccarello (Chair), Lisa Muskat (Vice Chair).

I. Call to Order and Roll Call and Acceptance of Agenda

Acting Chair Radke called the meeting to order at 7:00 p.m. and appointed Mr. Clark as a voting member this evening. Ms. Harris reviewed the agenda.

II. Old Business: None

1. **Kelly and Julie Martin (Owners & Applicants)** – Request for demolition of a shed at rear of barn structure and addition of a new structure in existing footprint, located at 73 Bedford Center Road, Lot 14-8-2, Zoned R&A. *This application was tabled at the March 7, 2023 meeting.*

III. New Business:

1. **Robin E. Carlisle (Owner)** – Request for “after-the-fact” tree removal, located at 51 North Amherst Road, Lot 20-64-1, Zoned R&A.

IV. Other Business: None

V. Approval of Minutes from Previous Meeting (March 7, 2023)

VI. Communications

VII. Members Comments and Concerns

VIII. Adjournment

MOTION: Ms. Tefft moved to accept the agenda. Ms. Tope seconded the motion. **ALL IN FAVOR – unanimous. MOTION carries. Agenda is approved.**

II. Old Business:

1. **Kelly and Julie Martin (Owners & Applicants)** – Request for demolition of a shed at rear of barn structure and addition of a new structure in existing footprint, located at 73 Bedford Center Road, Lot 14-8-2, Zoned R&A. *This application was tabled at the March 7, 2023 meeting.*

Mr. Kelly Martin presents: Kelly Martin, 73 Bedford Center Road. I'd like to give a quick overview of the project and then go through the slides and answer any questions. The proposed project is to take down the rear portion of the existing barn and replace it with a similar shed structure in the existing footprint. The barn is on the easternly side of the property and was built in the 1860s to 1870s. The main post and beam portion is in fair shape, but the feed shed that attaches to the rear, which was added later is structurally failing. The foundation was poorly constructed, consisting of stones placed on the ground surface which were displaced due to long periods of seasonal frost heaving. Due to the proximity of the ground, sill post and studs have rot damage and are decaying. We propose to remove that portion of the barn, the feed shed, and rebuild in the same footprint that exists now. Given the input and the concerns of the Commission and the abutters over sight lines and views, we propose to rebuild the structure and keep it in the character of the original barn/shed. We do propose to change the roof pitch by 1 foot, bringing up that back northern wall to 8 feet to allow for a more usable space on the interior and to allow for standard entry door sizing. The exterior finish will be in keeping with the existing character of the home. That's the overview of the project.

Acting Chair Radke said OK, very good. At this time if the Commission would like to ask questions, this is an opportunity to do that. Ms. Tefft said I have a few questions. Ms. Radke asked, two questions? Ms. Tefft replied I have two new ones based on what he just said. You said the shed had failed. Does that mean it's collapsed and into the ground now? Mr. Martin replied no. Structurally, it has failed. The Foundation or the rubble stone, fieldstone that was put in place when it was built has basically just disappeared, either sunk or gone away, allowing the bottom sill plate and the studs to basically rot. Ms. Tefft said the whole thing hasn't failed. It hasn't collapsed. Mr. Martin replied no. This winter with the snow we had and the warm weather before we got the cold, it was collapsing and was coming down even more. In order to keep it from damaging the original portion of the barn, which is an old post and beam, we propped it up. Ms. Tefft said, you said you wanted to rebuild it on the same footprint. The footprint is one thing. Are you going to limit yourself to the same 286 square feet that the shed now has? Mr. Martin replied yes. Ms. Tefft said OK, because that needs to be part of the motion. It's not just the footprint, it's the square footage that is going to be maintained also, I think. Ms. Tope said that was noted in the application and in the zoning, that they're going from two levels to one, and I think that's where some of that square footage went. Ms. Tefft said but I think, as somebody said at the last meeting, ownership changes and you just never know. So it's better to spell it out clearly if you can at all use hard data. Mr. Martin said If I can just pop in here, when I was here last, I was proposing that we went the story and a half, two stories. Obviously, I heard the concern both of the Commission and my abutters. The proposal, to your point, would be that there wouldn't be any additional overhead in the barn created so that the square footage would be the same as the existing footprint is right now. Ms. Tefft asked the existing building on that same footprint? Mr. Martin replied yes, Ma'am. Ms. Tefft said OK. One of the things I'm concerned about is on the property line—and I took photographs this afternoon from across the street—there appears to be some trees that are sort of between almost—I don't know where your property line is, but it appears that there are trees on the property line starting about 8 or 9 feet from the road that go far back. Are those your trees? Are they dangerous trees? Mr. Martin replied there's kind of a mix because the property line goes through there. There's some that are on my property. There's some that are on Deirdre's, and then there's some that are right in the middle of that property line. So it

is a very delicate situation with the trees. I'm very aware of it. But none that will impact the... Ms. Tefft said you can't flag my tree, your tree and go eeny meeny miny moe is what you say. Mr. Martin said yes. It's kind of weeds through there. Ms. Tefft said my question actually is, there is a mixed ownership, but I don't want to see any more trees disappear from that property. Can you guarantee you're not going to take anything down or accidentally back up a large piece of equipment over it and knock some down? Mr. Martin replied I can guarantee you that those trees on that property, and because it's such a skinny spot, the trees that exist now are as important to me as they are to the Commission. Ms. Tefft asked, can we make that part of the motion or just take your word for it? Mr. Martin answered I'm going to throw that out to what you folks need. Ms. Tefft said well, I really appreciate it because really, we're losing too much green in the middle of Town. Except for where the trees are, how are you going to stop debris from flying all over the place and onto other people's property and on the road? Because you've got a very tight spot to work in. Mr. Martin replied very. We'll take all precautions possible for site protection. Obviously when that lot was created with the Town and church, we didn't think about that, right. But we understand the importance of protecting the property and the property rights of the abutters, and so we'll do everything possible to site protect that. Ms. Tefft continued and not having the middle of Town look any worse than it does now in terms of taking care of the property. But I'm sure you know architecturally that very few houses erupted in towns and cities in the 19th century as a huge house. They added rooms and they added wings, and they attached a barn and I'm sure your house didn't start out with everything there. It started out with a house and then there was a barn and they joined it. And I won't go into the reason why they probably did, but I'll tell you privately later if you'd like to know. But you can't really go back and say they weren't planning on having us walk on loam because nobody planned on that one, but I think the concern is what it looks like and to preserve as much of the original feeling and appearance as possible and that includes trees, vegetation and that sort of thing. Mr. Martin replied we'll match up the elevation very closely to what exists there now with the exception that the roof pitch will go up a little bit to allow for standard door sizing for egress. But other than that it will look very similar to what's there now—much better because it has probably sunk about a foot to a foot and a half, and it's been like that for quite some time. So it'll certainly improve the view that you get from the road as well as protecting the value of the historic overlay of the Town. Ms. Radke said thank you. Any other questions? Ms. Tefft replied those are my questions. Ms. Radke said very good. Thank you.

Ms. Tope said thank you for going back and thank you for being more specific on the plans. I think that was helpful showing the materials and such and addressing the concern of your abutter with the two levels and such. I think it all looks good. The only question that I had remaining looking through the materials is Miss Deidre Minard isn't here today, but she had sent in some more information, the letter she sent to the Zoning Board of Adjustment, and it mentioned that she had an agreement with you for a fence. I didn't see that in the application materials. Do you intend, and would you be OK with us adding that as a requirement?

Mr. Carter said that's for the pool. Ms. Tope said in her follow up e-mail on March 20, she said that, and she has a picture that she had texted with him, and it's not in our materials for adding this fence. Mr. Martin asked, so is that the purview of the Historic Commission to have that fence? There will be a fence for the pool, which is... Ms. Tope said yes, I mean, I don't know, and I didn't I didn't see it in our plans and here it shows the pitch and your elevation—t at seemed to be one of the last things that she had an issue with, and it seemed like she had come to an agreement with you on that? Mr. Martin replied yes, we're in agreement and I'm a Robert Frost fan—good fences make good neighbors. So, trust me when I say there will be a fence there that will protect both our privacy. I don't know if the Historic Commission needs something to talk about the fence. Ms. Harris replied yes, there are certain types of fences that can be approved administratively, which are spelled out in the regulations, but if they're not that type of

fence, then it would be something that would need an application to the Historic District Commission for. So if it's granite posts with wooden rails, picket fencing or post and rail fencing 48 inches or less, those are accepted styles and they don't require an application. But if it's anything else, it would. Mr. Martin said so I think what I've talked to Deirdre about is a more solid fence just to protect her privacy. So, certainly, I don't know the best way to... I could do another application for a specific fence and get Deirdre to agree on the fence. I would like it not to hold up this particular portion of it, but I've certainly... Ms. Tope said yes, I don't think it needs to hold it up. Actually, I was more looking to make sure, you had said 48 inches. This says 6 feet. So, that we covered that if we needed to now, it seems like she supports a 6-foot fence. Mr. Martin said originally when I went for the pool application, it was designed to be granite and four feet. But talking to Deirdre and Nicolo, there was concern, and I get it, about that the proximity of the property. So I can certainly apply for a 6-foot fence. We have one right across the street protecting the sightline of the of the yellow house. Not your yellow house. The other yellow house. But, hey, I can do what you folks would like. Ms. Tope said what she has described in the e-mail and what she had said your agreement was, was a solid wood, unstained cedar, without gaps at least six feet in height. And Ms. Harris, if administratively, does he need another application, or could we add that to this? Ms. Harris replied if the Commission is supportive of that, you could add it as an amendment, if you're all supportive of adding that. Ms. Tope said it seems the abutter is supportive and unless I hear any reason why not, I would support it. Mr. Martin said yes, the intentions for a little more description is like solid board and batten type. So that there's no gapping. I don't know if that helps.

Ms. Radke asked, is that something we should actually see first before we actually make that motion for the fence? I'd like to see some pictures of it. Ms. Harris answered it's definitely up to you. If you'd like to see more information, then I would suggest having it be a separate application. Mr. Carter said because vinyl wouldn't be acceptable. Ms. Radke said that shouldn't hold up this particular application. You want to get going on that, I would assume. Mr. Martin replied yes, and my intent was to go forward with the fence prior to construction just for protection between the two. When do you guys meet, in 6 weeks? Ms. Radke asked, so your intention was to put the fence up first and then do the construction? Mr. Martin replied kind of on the same timeline while I had it there, while I had construction. It would be kind of put the fence up in that last connect, and that was for during the course of the construction of the pool to give some site protection to the abutter. Mr. Carter said you can dig the holes at the same time as you're doing... Ms. Radke said, so you need that approval now, then.

Mr. Clark said well, I think as a Board, there are certain stipulations. Deidre has kind of blessed your project based on a 6-foot fence and we can tack that down very easily. But I think it was a prerequisite to her saying OK, because she's given way on some other stuff. I mean, she reduced the setback and all. Mr. Martin said not to interrupt, like I told Deidre, I am in complete support. I don't think there's any other way to make it work for us as well as Deidre. So I'm in 100 percent support that prior to that fence going up, that final like, OK Deidre signs off and obviously, the Historic District. But the general concept of the fence is that solid, no spacing cedar. We both agree that it would go natural, grayish. So, that's the overview. What you folks need from me, you let me know.

Mr. Clark said I have a part 2 to my question. That is, that's a heavily treed area, so where would that fence sit? Would it sit on your property or Deidre's property? Mr. Martin replied it would actually sit on my property, but where that is, it's actually not heavily treed. There is one that would be on my side of the fence, but in actuality, where that connects going back to—I'm going to refer to it as the icehouse—but there's a structure back there. There are no trees. Mr. Clark said OK.

Mr. Carter asked, is this something that staff can work with the applicant and the abutter to get that ironed out so that we don't slow down the applicant on this? Ms. Harris replied yes. So, if the Commission is supportive of the details that he described as a six-foot cedar stockade solid fence, then I can work with the applicant on the details. Ms. Tope said yes, as laid out in Deidre's e-mail. I think if that's what they've agreed to, the board and bat design, cedar without gaps, I think we're OK with that. I think that's what the abutter wants, and I wanted to bring it up because I didn't want to go ahead with approval, but without the fence and then her not have the fence after it seemed that that's what she thought we were agreeing to. Ms. Radke said thank you. Good pick up.

Ms. Tefft said I have one more question. On the Meridian Land Plan, it seems to show that the brick turnaround from your driveway crosses the property line onto Deidre's property line. Is that still there? Because this appears to be where an existing building is located in April of 2017, not sure that that was up yet. Is that still the case that there is a brick turnaround? Mr. Martin replied there is a brick turn around there, yes. Ms. Tefft said that goes on to their property? Mr. Martin replied yes. Ms. Tefft said the fence is going to truncate that. It's going to cut part of that off according to this plan, the last page. Mr. Martin replied that brick turn around is on the front of the house. And that's the affected part of the barn area. So that fence is going to traverse along this easternly property line, if I'm describing it correctly. Mr. Clark asked, is the stone wall yours, or is it the Menards? The one along the backside, the north side. Mr. Martin replied it kind of traverses right down the middle of it. We kind of have the same situation with this property shed right here, which, again, we refer to it as the icehouse. Property lines are very, very tight and obviously I need to get a fence along this line for the pool and understand that at some point, Deidre and Nicola will need to do maintenance on that icehouse. So, obviously, same situation as mine. I have to be cognizant of that. Ms. Tefft said you'll be here for that. Mr. Martin continued, I have to give enough room and allow them access to take care of their investment. Mr. Clark asked you don't plan to interrupt the stone wall, because that's a real bozo no no. Mr. Martin said yes. There were no further questions from the Board. There were no questions or comments from the public. Ms. Tope made an amended motion.

MOTION: Ms. Tope moved the Historic District Commission approve the application for demolition of a portion of the existing barn and replacement of the 288 square foot shed structure in the existing footprint, at 73 Bedford Center Road, Lot 14-8-2, as amended to include the applicant will work with the Planning staff regarding the construction of a 6-foot fence, solid wood in structure made of unstained cedar, without gaps, at least 6 foot in height. Fence posts will have caps. Design will be board and batten, between this property and the abutting property at 69 Bedford Center Road, and in accordance with other materials previously submitted by Kelly Martin, owner, because the applicant has provided evidence that demonstrates consistency with the Historic District Commission ordinance and regulations, subject to the following conditions:

- 1. Demolition and rebuilding the shed will be done in a manner that does not damage trees or other properties at 69 Bedford Center Road.**
- 2. All work shall be completed by the applicant within two years of the date of the Historic District Commission approval.**
- 3. The applicant shall submit photos of the completed work for the file.**

4. The applicant shall obtain a demolition permit for demolition of the shed structure and a building permit for construction of the replacement structure.

Discussion: Ms. Radke asked if there was a second on the motion. Ms. Tefft said I'd like to see what it looks like because you read it very quickly and I didn't get all of it. Ms. Tope replied, well, I just made it up as we were going. I added in the requirement to build the shed and requirement not to destroy trees. Mr. Clark said it sounds tight, Ms. Tefft. It really does. It covers all the bases. Ms. Tefft asked it's got the same footprint and the 288 square feet? Ms. Tope replied yes. It included the footprint as described there, and it included the fence, and it included the trees. Mr. Clark said my only question is this is for the small feed shack and the Zoning Board has already approved the major project. Ms. Radke said before we go any further, do I have a second on that motion so we can continue this discussion? Ms. Tefft said I'll second. Ms. Radke said thank you. Go ahead. Mr. Clark said I'm assuming that the main structure is all permitted and ready to go. This is a codicil. This is an add on—the demolition of the feed shed and the rebuild of it. The rest of the project has all been—I'm playing catch up here—but the rest of the building has all been, yes, thank you. Mr. Martin said I have one question. Ms. Radke said OK. Well, we're in discussion here, but maybe that will help. Go ahead. I'll let you go in. Mr. Martin continued well, I can have a one off with you, Ms. Harris, as to what you require for the fence. Ms. Harris replied yes, we'll work together on the details for the fence. Ms. Radke said I was just going to suggest, if you don't mind a friendly amendment, to have the applicant work with Planning Staff in regard to the fence. Ms. Tope said, and we'll add the amendment to have the Planning Staff work with the applicant in regard to the fence.

Do we have a second? Ms. Tefft? Ms. Radke stated I added a friendly amendment to the motion to include that the Planning Staff will work with the applicant with the fence. Ms. Tefft said OK, yes, she did submit a picture of what she wanted. Ms. Radke said I just want to make sure that the applicant will be working so he doesn't have to come back here. Ms. Tefft replied oh, OK. Ms. Radke said OK, we've got a second. We've got a motion. Any more discussion on the motion? OK, seeing none, all those in favor of the motion signify by saying aye.

Ms. Tefft duly seconded the amended motion. ALL IN FAVOR – unanimous. MOTION carries. The request is approved.

Mr. Martin said thank you for your time. Ms. Radke replied, you're welcome. Good job. Thank you, Ms. Tope. That was really good. Nice job with that.

III. New Business:

- 1. Robin E. Carlisle (Owner)** – Request for “after-the-fact” tree removal, located at 51 North Amherst Road, Lot 20-64-1, Zoned R&A.

Ms. Robin Carlisle presents: Hi, I'm Robin Carlisle and I live at 51 N Amherst. Road. Ms. Radke said very good. Go ahead and explain your application and if you guys can just hold off any questions until after the applicant has completed, we can go on with questions. But go ahead. Ms. Carlisle said OK. I'm repeating a little bit of what I said at the last meeting, but I had three of the trees along the back fall down on Christmas Eve. And a month later, another one of them went down. And I've been nervous about them for a long time because they've been starting to go, and I was worried about them falling on my house. So I went ahead, unknowingly, and had a fellow come in and take the trees down that could land on my house. I didn't realize that I needed a permit. Ms. Radke said this is an after-the-fact application. Ms. Carlisle said yes. My little drawing here, I guess, are you all looking at that as well? OK. You can tell my

key up there that there are existing trees along the right-hand side of the driveway and five across the back. And then there are four blowdowns, and the little stumps are trees that are gone now. Ms. Radke said thank you. Do we have any questions from the Commission?

Ms. Tefft said you're having terrible time with those trees, aren't you? Ms. Carlisle replied yes. Ms. Tefft asked how many more of those trees do you have that are trying to live? Ms. Carlisle replied 23. Ms. Tefft asked 23 more? Are any of them in the initial stages of faltering or are they all healthy? Or can't you tell with a pine tree? Ms. Carlisle replied well, they are always spruce, but in the back, I've lost a couple on the right-hand side and the ones in the front look pretty healthy at this point. But they are tall, tall trees, and they're coming to the end of their existence—especially on the Wallace Road side. Ms. Tefft asked on North Amherst Road? Ms. Carlisle replied no, on Wallace Road. I'm on the corner. Ms. Tefft said there's a nice straight line on the other side of that drawing, of trees. Is that abutting somebody else's property? Ms. Carlisle replied yes. Ms. Tefft asked is there any way where we could say if the tree is starting to fall down, she doesn't have—I assume it costs money, and you have to come in here, and time and effort and stuff. Is there any way you can say wait until you've got three or four in terrible shape before you have to file a request? Ms. Radke replied that's a good question. Ms. Harris replied she can come in for dead or dying trees to get them approved administratively anytime. Ms. Tefft said I'm sorry, I couldn't hear you. Ms. Harris said if the trees are dead or dying, she can come and get them approved administratively anytime. It's live trees that she needs to come to the Historic District Commission for. Ms. Tefft replied good to know.

Mr. Clark said I think that's something that we've been... Ms. Tefft asked why is she here tonight? Ms. Harris replied because they were live trees that were taken down. Ms. Tefft said oops, sorry. Mr. Clark continued, and I think that's something that we need to talk amongst ourselves a little bit more on because there been some other trees taken down. So I think we're trying to gin together a bit of a policy on that and maybe have a certified licensed arborist tell us that they are, indeed, dead and need to be removed because they're representing a hazard. Because Norway spruce aren't normal spruce. I had some. The other spruce, like blue spruce and those types tend to have about a 40-year-lifespan, and they do just kind of stop living. And it's not a beetle or anything, it's just they have a lifespan. But the Norway spruce are a much hardier tree. So, I think that's something that we need to visit amongst ourselves so that we don't have trees taken down just because well, an arborist told me it was ready to come down.

Ms. Carlisle said the trees that blew down on their own did not look like they were dead or dying but they came down. Mr. Clark said yes, but the ones on the Wallace side, you had taken down. Ms. Carlisle replied I did, but I've been doing that regularly. Mr. Clark said yes, so you're probably faced with a wind sheer problem where you take some down, it exposes the other ones depending on the wind direction. Ms. Carlisle replied probably or the runoff that was on the road? Ms. Tefft said yes, her tree service had indicated that the ones cut down had rot, ants and salt damage. Ms. Carlisle said some of them did, yes. Ms. Tope said they weren't all exactly healthy, it seems. Ms. Radke said you'll see being right next to the road there as well.

Ms. Tefft said I love trees. I love green grass when I get to see it. I understand that arborists do something important when it comes to protecting trees and forests. But my concern is they're very expensive and I don't want to feel like we have to—what is it about easily \$1,500 and up to get an arborist to come in and do minimal effort? That's a lot of money for somebody who's paying the kind of taxes we do in this Town. Our Town residents are getting older. Our school population is going down, and I think before we start requiring serious expenditures of people who maybe retired, maybe older, I don't want to force anybody to go to different living facilities just so there can be pretty trees on what used to be their home property.

That's what I don't want to do. Ms. Radke said that's a good thought. Those are great thoughts and good comments. Maybe we can save those when we go through our Historic District guidelines. I think we're going to do that. Let's just save those thoughts for that time. Do we do that yearly? I can't remember. Ms. Harris said yes, we can do that when we have the annual election. Ms. Tope said I think that's a good point and this has brought that to our attention that we probably should have some guidelines in place as to what they are would be a discussion later. In this case, the trees have been removed. There was evidence some were blown down, rotted. We're not putting them back up. Ms. Carlisle said excuse me, I also did have UNH come in, and I had two other large tree company guys come in and look at those trees for me and they said they're fine. But they're not. Mr. Carter asked is there going to be any mitigation done with the stumps, or are they just leaving the stumps there? Ms. Tefft said not when the ants are there. Ms. Carlisle said I'm planning on taking them out, yes, they're ugly. I mean, they're high, especially across the back between my neighbor behind me on Wallace Road. We are going to do that. Ms. Radke asked you're going to take the stumps out? Ms. Carlisle replied yes.

Ms. Radke asked, do you plan on adding more trees? Ms. Carlisle replied well... Ms. Radke asked at some point? Ms. Carlisle replied yes, definitely. But I haven't really gotten that far yet. I've got a mess in the back that I need to get cleaned up and I'm kind of taking one step at a time, but definitely have to put something in. Ms. Radke said yes, that's fine. That'll add to the property. I think it'll be pretty. Ms. Carlisle said well the Wallace Roadside, especially because the noise is unbelievable, especially in the summertime with the motorcycles going up Wallace Road. It's really, really noisy. It needs some kind of a buffer. Ms. Radke said thank you. Any other questions for the applicant? There were no questions from the Board. There were no questions or comments from the public.

Discussion: Mr. Clark said going forward, it seems like there are other trees that are questionable. What do we do to safeguard those trees? Ms. Carlisle said I'll come in and get a permit next time. Mr. Carter said work with staff. Ms. Tope said, she said she'll come in and ask for approval. She didn't know she had to. Ms. Radke asked, so you know to work with staff on any further tree removal? Ms. Carlisle said yes.

MOTION: Ms. Tefft moved the Historic District Commission approve ex post facto the request for tree removal at 51 North Amherst Road, because the applicant has provided evidence that demonstrates consistency with the HDC ordinance and regulations. Ms. Tope duly seconded the motion. ALL IN FAVOR – unanimous. MOTION carries. The request is approved.

Ms. Radke said motion passes. Thank you very much. Ms. Carlisle said thank you.

IV. Other Business: None

V. Approval of Minutes from Previous Meeting (March 7, 2023)

Ms. Tefft had three corrections on the Minutes. On Page 7, the second line up from the bottom, instead of the word steeled, steeled, should be field. Fieldstone, not steeled stone. And then on page 10, ten lines up from the bottom, left-hand side. The line that starts, think there. I instead of in danger, it's a danger. Because they weren't in danger. They were a danger.

MOTION: Ms. Tope moved to accept the March 7, 2023 meeting minutes as amended by Ms. Tefft. Mr. Clark seconded the motion. ALL IN FAVOR – unanimous. Mr. Carter abstained from the vote. Motion carries.

VI. Communications

Ms. Harris said the only communication I have is that your next meeting is May 2nd. Ms. Tefft asked do we have any applications? Ms. Harris replied not yet.

VII. Members Comments and Concerns

Ms. Radke asked if there were any other comments. Ms. Tope said I've got a question. We mentioned that there's administrative approval for dead or dying trees. How do we define a dying tree if someone says they have dying trees? How do you decide whether to approve? Ms. Harris said we ask for a statement from either a tree service or an arborist. Ms. Tefft said OK, so we already are doing something like that in terms of the dying ones. Ms. Radke said and that's part of the regulations I would assume, our district regulations, it's in there? Ms. Harris replied yes, it's part of the administration approval process. Ms. Tope said just out of curiosity, how many requests do we get to remove trees that are dead or dying? Ms. Harris replied maybe 3 a year on average. Mr. Clark asked how many trees are cut down without approval of the HDC? Ms. Harris replied I wouldn't be able to answer that. Mr. Clark said yes, a lot. I know there are a lot that come down. So I think it's up to us as a Commission to figure out some way to educate the HDC residents because a lot of people, case in point, don't really know that they can't take trees without permission if they are 15 inches in diameter or more. So, I think it's endemic on us too, and that's where some of that grant money might come in handy. We could put together the dos and don'ts for living in the Historic District. Ms. Harris added, and we can go over guidelines if you want to update the guidelines for that. We can definitely have a discussion about that. Mr. Clark said and there's really no—punishment isn't the right word—but there's none if somebody does take a tree, I didn't know. Ignorance is not a defense. So, I don't mean to be harsh on it, but trees are—I had somebody in the district take down a ton of trees. They took 40 trees down and the Historic District couldn't do anything. It was the Brooks property, and Bob and Scott Brooks took down at least 40 trees of substantial size and I never could see Route 101. And I have a clear view of it now. I mean, a slap on the wrist. Don't do it again. But you can't replace an 80-foot tree. That really hurt, and so I'm really sensitive about that.

Mr. Carter said I take it the Historic District has a Town website, right? Ms. Harris replied we have a page, but it could use some more information definitely. Mr. Carter added maybe sending a mailing out to everyone that is in the Historic District, and then continuous work on upgrading the page so that they know that they need to come at least to staff. So that they understand what they can and can't do on their property, especially when a house sells or gets resold. Mr. Clark said I think we could also do a mailing to the top 10 arborists in the area. You've got Asplundh. You've got Accurate. You've got Heath. You've got Davies Tree, Bartlett Tree. These people will come in and look at your tree and it's perfectly good. But I want it down. It's in the Bedford Historic District. If they knew that—because I've talked to some of these guys, and they have no idea that this statute exists. Ms. Radke replied well, it's not really up to them. It's up to the homeowner. It's a homeowner issue. I wouldn't put that onus on them. It's the homeowners. And also working with real estate agents. So, if there's a house that's up for sale in the Historic District, it would be advantageous to the staff or someone to get in touch with that real estate agent and let them know that that house is in the Historic District so that when they're selling or showing the house, they could make the proposed owners aware of that. I think that's very important. Mr. Clark said because that might clear the deal. Ms. Radke said yes, and it might. Mr. Clark said I don't want to be told what to do. Ms. Radke said but I think it's the right thing to do. Ms. Harris said we do have a letter that we send out for new homeowners. I'm not sure how much it's read. Ms. Tefft said they don't read. Ms. Radke said really? Ms. Tefft said I hate to disagree with you, Mr. Clark, but the last thing in the world I want is for somebody to give my address to any tree cutter. I get enough ads as it is. My mailbox is full,

and I have grocery store bags full of ads. Do I want to sell? Do I want grass? Do I want trees? You know, it's an invasion. Mr. Clark said we would be giving the arborist a circle around. Ms. Tefft said I know, and they see the big tree, that gorgeous Maple tree that's on the eastern side of my house and they go, aha. Well, aha to them. That one's going to die a natural death and faint when it's over and done with. But I don't think there are 50 houses in the Historic District, are there? Ms. Harris replied, I don't know if there are 50. Ms. Tefft said I don't think there are. I would like to see a list of all of the addresses. Don't bother about names, but I would really like to see the addresses where they are because we're talking about spending tons of money when it's not a substantial part of Bedford. I think the thing that we should be doing is to expand our purview. Knowing that we want green, we want trees, so that other people who have trees can know that we're a resource if they need some input. I mean Ms. Harris is very knowledgeable about trees and taking care of them. But I think the most important thing we can do, the Town owns more property than all the people in the Historic District, and they don't care. They cut, they knock down, they uproot, they dig up grass, they pour asphalt. That's what they do. Mr. Clark said that's a whole another discussion. Ms. Tefft said I'm not talking about one thing, but they are not subject to the same rules homeowners are. But we are subject to paying taxes and obeying the rules. But I think we need to help people who aren't in the Historic District, maybe about it, maybe not. Maybe they ended up buying a farm and giving them some support. There's got to be a conservation group in Bedford. Ms. Radke said there is, so that's probably under their purview. Mr. Carter said Conservation Commission, that's conservation. Ms. Tefft said maybe we should contact them and ask them if they would do the fringes and help us out. Mr. Carter said I believe, as the Town Council representative to the Conservation Commission, we can have that conversation between the Conservation and the Historic District, either by having Conservation come to this meeting or having members of Historic come to the Conservation meeting and see what we each do. One person that is joint to both of us is Mr. Clough over there. He is the Planning Board representative to the Conservation Commission. So, if there are things that the Historic District would like to have discussions with Ms. Harris's office is probably right next to Kathleen's office, which is right next to... So basically, we can have that conversation. Conservation is doing a lot of great things in this Town by conserving property in Town and cleaning up the trails. Trail stewards are cleaning up our trails. So, there is a lot of work that is being done. We can have that conversation as we move into this year and try to work on something that that we can both work together. Ms. Radke said very good.

Ms. Tope said I had one quick last comment just from a rules of procedure perspective, going forward, when we look at it, it seems that there are parameters in place if someone comes to remove a tree that's dead or dying. You mentioned an arborist or tree company. If people come in front of the Commission, there doesn't seem to be any such requirement that we can just strike live trees if we want. I think that's what we need to discuss in the future. And if there's going to be live trees removed, what are the conditions including if we're going to require someone to prove it's dying. If they come here and tell us they want it down because it's dying, it actually should be subject to the same rules of having—I know you didn't like an arborist, but that's what they're saying, having an arborist or a tree company say it has died. I know this group is very tree protective, but future groups may not be. So, if we want to write that into the rules to help protect trees in the future... Ms. Radke said when we have that conversation about the Historic District regulations, we can bring all that stuff up. Good comments. OK.

Mr. Carter said Madam Chairman, I just wanted to let everyone know this will be my last appearance here on the Historic District. After the last election, you'll have a new alternate which will be Michael Strand. Michael Strand will be the backup on the Historic District. Ms. Radke said and you're all lucky enough to continue with me. Mr. Carter said yes. A little bit of reorganization when it came to the Town Council. So, just moving people around to cover each of the boards. It's been a pleasure. Mr. Clough said thank

you for your service. Ms. Radke said that you for all your input. Mr. Carter said thank you for all your hard work that you do as part of the Commission. Ms. Tefft asked which job did you get? Mr. Carter said I'm on Conservation. I'm on Water and Sewer, and I'm the backup on BCTV. Ms. Radke said all right. Thanks Bill. Mr. Carter said thank you.

VIII. Adjournment

MOTION to adjourn was made by Mr. Clark at 7:53 pm. Ms. Tefft duly seconded the motion. ALL IN FAVOR – unanimous. MOTION CARRIES.

The next meeting of the Bedford Historic District Commission is scheduled for May 2, 2023.

Respectfully submitted by Sue Forcier