

Letter to the Editor, June 16, 2005

AvalonBay's sign is too large

AvalonBay's luxury apartment sign is too large. The project being constructed near the intersection of Concord and Davis Roads was granted a comprehensive permit by Bedford's Zoning Board of Appeals that included 45 conditions, one of which was the stipulation that its sign not exceed 20 square feet in size and six feet in height.

According to minutes posted at www.town.bedford.ma.us, this violation was reported along with other construction concerns to the ZBA at its April 28 meeting. Nonetheless, AvalonBay has not replaced the sign with one that conforms.

Lack of compliance with a sign condition may seem trivial for a large construction project, but there was much discussion about the size, nature and location of the project's sign during the ZBA hearings. Not complying with such easy details suggests that AvalonBay might also be failing to comply with other, less obvious, conditions. After all, who is going to notice if the drainage system does not meet its specifications.

Of particular concern are the still unresolved traffic and pedestrian safety problems, more evident now that construction has begun, and the increased risk of mosquito-borne diseases to apartment residents and Bedford as a whole.

Testimony presented in Land Court (summarized at www.safebedford.org and on file in the Bedford library) revealed that traffic site distances do not comply with state guidelines, and that the project's drainage plan has serious problems.

For example, the project calls for three large detention ponds, the bottoms of which should be a minimum of two feet above high groundwater. Meeting this standard requires AvalonBay to backfill pond locations. Compliance requires regular inspection by Bedford's

Department of Public Works, which has only one inspector on staff. The complexity of the drainage plan, the limitations to Bedford's ability to monitor it, and AvalonBay's disregard for the conditions in the permit, suggest the ponds will not be constructed according to state standards. The complex nature of the drainage plan is illustrated by the refusal of a Bedford engineer to attend a meeting of Bedford's Board of Health to discuss it (www.town.Bedford.ma.us).

Concerns are further supported by a new, large detention pond adjacent to what appears to be a permanent detention pond (picture posted at safebedford.org). The temporary pond is collecting runoff from the site and has had standing water since the moment it was carved out because it is below groundwater. The water level in the pond appears barely below the level of the nearby townhouse foundations. Moreover, the permanent detention pond is higher in elevation than the temporary. It will require a surveyor to guarantee that the bottom of the permanent detention pond is two feet above high ground water and below the level of the new foundations. The results of such a survey should be publicly posted.

According to Christopher Laskey, Bedford's Director of Code Enforcement, AvalonBay compliance problems will be publicly discussed before the Zoning Board of Appeals, Thursday, June 23, Town Hall. **ALL BEDFORD RESIDENTS ARE ENCOURAGED TO ATTEND**