



**Pembroke Conservation Commission  
Minutes of the Meeting of  
October 29, 2018  
Pembroke Town Hall, Break Room**

*Disclosure: These minutes are not verbatim – they are the administrative agent's interpretation of what took place at the meeting.*

All materials presented during this meeting are available in the Pembroke Conservation Commission office.

*Open Meeting Law, G.L. c. 30A § 22.*

**Members present:** Robert Clarke, Member and Agent; Arthur Egerton, Member; Gino Fellini, Member; Scott Glauben, Vice Chairman; Richard Madden, Member; Sandra Simon, Member; Mark Sotir, Chairman

**Staff present:** Rachel Keller, Administrative Agent

At 7:00PM, Mr. Mark Sotir, Chairman, opened the meeting and asked the members to introduce themselves, and then stated that the proceedings would be made available to the public through video or audio broadcast on the PACTV Government Access Channel for broadcast at future dates and that all comments made in open session would be recorded.

**ADMINISTRATIVE BUSINESS**

**Minutes**

A motion was made by Mr. Clarke and seconded by Ms. Simon to accept and approve the minutes for the September 24 and October 1 meetings. All in favor. Motion passed unanimously.

**Forms for Signature**

A motion was made by Mr. Clarke and seconded by Mr. Glauben to issue a certificate of compliance for SE056-0959, 40 Center Street with the stipulation that a \$500.00 bond furnished by the homebuyer be held until the end of summer 2019 when landscaping is complete and the lawn is mowed twice. All in favor. Motion passed unanimously.

**DISCUSSIONS**

**Removal of invasives at the reservoir at Hil's Mill Road**

Mr. Fellini and Mr. Madden discussed the need for removal and disposal/storage of the floating, rooted invasives in the reservoir at Hil's Mill Road. The agent informed them that no one has submitted an application to perform the work.

*Materials or other exhibits used by the public body in an open meeting are available to the public, within 10 days, upon request.*

## **HEARINGS**

### **Request for Determination of Applicability (RDA) – 71 Furnace Lane – Simon**

#### **Attendees: Shayne McGlone, McGlone Enterprises**

Ms. Simon recused herself from the discussion and vote, as she is the owner of the subject property. Mr. McGlone explained to the members that the proposal includes the installation of a 1,500 gallon septic tank, positioned 83' from the water's edge, with a 16' X 20' leaching field positioned 100' from the water's edge.

A motion was made by Mr. Clarke and seconded by Mr. Glauben to close the hearing. Ms. Simon abstained from voting. All other members in favor. Motion passed.

A motion was made by Mr. Clarke and seconded by Mr. Egerton to build according to plan and issue a negative 3 determination. Ms. Simon abstained from voting. All other members in favor. Motion passed.

### **Notice of Intent (NOI) – 211 Barker Street, Herring Run Park Improvements – Thorne (DEP File # SE056-1025)**

#### **Attendees: Mel Higgins, Weston & Sampson, Inc.**

Mr. Higgins informed the members that typically the Division of Marine Fisheries (DMF) would file a request for determination on its own for the work included in this filing on its behalf; however, since the town has two other projects to complete (ADA accessibility and permanent placement of the water wheel) at Herring Run Park, it was thought a single filing for the three projects would make the most sense. The first part of the project Mr. Higgins explained was the creation of an "ADA accessibility gravel pathway" from the already existing parking area to the brick fire pit. He then went on to describe the installation of a water wheel where the existing housing for the original water wheel is – there would be removal of that structure, pouring of a foundation and installation of a new water wheel. The third part of the project – the DMF portion of the project – he described was improvements to the fish ladder – stabilization of the bank in two areas with granite blocks, movement of cobbles for better fish passage and the creation of four stone weirs to assist the fish in their passage at that area. He informed the members that the expectation is to begin the work this fall or winter and that the entire project could be completed within a few weeks.

Mr. Higgins explained that the entire project is within the 200' riverfront area associated with Herring Brook. He then explained that there is 10,700 sq. ft. of alteration that would occur with the project, but said it would be located in previously disturbed areas. He further explained that, in order to minimize impacts to the area, all work would be performed by hand, aside from the placement of the granite blocks, which would be moved with a mini excavator.

There were questions from the members that Mr. Higgins was unable to answer regarding the timeline for the project and the sequence of activities; the measurements for and other related information regarding the ADA accessibility pathway; control of water levels; the mechanism for raising and lowering the water wheel; placement of siltation barriers; and the necessity of the addition of basic plan features including a scale, directional arrow, erosion and sedimentation controls, topography, measurements indicating distance from resource areas to the work, and construction sequence notes.

Mr. Clarke asked Mr. Higgins about the status of the request from DEP regarding a Chapter 91 license and Water Quality Certification. Mr. Higgins informed the members he is awaiting a

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response from DEP regarding his request for confirmation that neither of these applications are necessary for this project.

A motion was made by Mr. Clarke and seconded by Ms. Simon to close discussion. All in favor. Motion passed unanimously.

A motion was made by Mr. Clarke and seconded by Ms. Simon to hire an independent engineer to review the project with the design engineers to ensure the town's interests, from a conservation standpoint, are clearly communicated and observed throughout the process. Mr. Madden and Mr. Fellini were not in favor of the motion; all other members were in favor. Motion passed.

A motion was made by Ms. Simon and seconded by Mr. Glauben to continue the hearing to November 5 at 7:30PM. All in favor. Motion passed unanimously.

A motion was made by Ms. Simon and seconded by Mr. Clarke to close the meeting at 8:13PM. All in favor.

#### Materials and Exhibits

Draft minutes of September 24 and October 1 meetings

Request for Determination of Applicability and accompanying documentation for 71 Furnace Lane

Notice of Intent and accompanying documentation for 211 Barker Street, Herring Run Park

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