



**Pembroke Conservation Commission  
Minutes of the Meeting of  
December 3, 2018  
Pembroke Town Hall, Room 3**

*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 (joined the meeting at 7:47PM); Gino Fellini, Member; Richard Madden, Member; Sandra Simon, Member; Mark Sotir, Chairman  
**Members absent:** Scott Glauben, Vice Chairman  
**Members of the public present:** Ronald Boidi, Pembroke resident  
**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.

**MEETING MINUTES**

A motion was made by Mr. Clarke and seconded by Mr. Madden to accept the minutes, as written, of the November 5, 2018 meeting. All in favor. Motion passed unanimously.

**FORMS FOR SIGNATURE**

A motion was made by Mr. Clarke and seconded by Mr. Madden to issue a partial certificate of compliance for 15 Ironwood Road (DEP File # SE056-0976). All in favor. Motion passed unanimously.

**DISCUSSIONS**

**Amendment to the order of conditions (OOC) for 50 Allen Street, DEP File # SE056-1022**

The agent explained to the members that the town requires a 150' circle on each house lot in town. This circle must fit within the property boundaries and must contain the entire structure to

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be built. The circle on this property has two small pieces of wetlands (one in the front of the property and one in the rear) in it which the planning board required the applicant to fill. The commission originally approved the NOI including the filling of the two areas of wetlands. This request is to amend the order of conditions to include the filling of just the piece at the rear of the property.

A motion was made by Mr. Clarke and seconded by Mr. Madden to amend the OOC to reflect the change from filling both pieces of wetlands to filling only the piece at the rear of the property. All in favor. Motion passed unanimously.

### **HEARINGS**

#### **Notice of Intent (NOI) – Lower Chandler Mill Pond – Town of Duxbury Conservation Commission (DEP file # - SE056-1026)**

**Attendees: James Lacasse, SOLitude Lake Management**

Mr. Lacasse explained to the members the last algaecide/herbicide treatment that was administered at this location was 4-5 years ago. This treatment would include sonar treatment – two applications.

A motion was made by Mr. Clarke and seconded by Mr. Madden to close the hearing and issue a negative 3 determination. All in favor. Motion passed unanimously.

#### **Request for Determination of Applicability (RDA) – 7 West Fish Street – Costa**

**Attendees: Linda Costa, applicant; Rich McCormick, applicant's attendee**

Ms. Costa explained to the members that the plan includes removal of trees near the proposed septic and expansion of the existing dwelling. The agent informed the applicant of the commission's tree policy – planting of 3 trees for every tree removed or donation of \$10.00 for every tree removed. The applicant was agreeable with that stipulation. The agent also mentioned that the silt sock must be inspected by him prior to the commencement of any work.

A motion was made by Mr. Clarke and seconded by Ms. Simon to issue a negative 3 determination with all of the usual stipulations. All in favor. Motion passed unanimously.

#### **Request for Determination of Applicability (RDA) – 18 Glenwood Road – DeYoung**

**Attendees: Scott DeYoung, applicant; Moira Fanning, homeowner**

Mr. DeYoung explained that at the rear of the home, there is an enclosed porch that has fallen into disrepair that needs to be removed and replaced. There was lengthy discussion about the installation of erosion controls. The agent informed the applicant that a wattle would be required.

A motion was made by Mr. Clarke and seconded by Ms. Simon to close the hearing and issue a negative 3 determination. All in favor. Motion passed unanimously.

#### **Request for Determination of Applicability (RDA) – 300 Center Street – Costello**

**Attendees: Jack O'Leary, Vertex Companies**

Mr. O'Leary explained that the application is for a proposed septic repair. The agent stated that it would be necessary to include dewatering in the plan. The administrative agent informed the members that a determination could not be issued until the taxes are made current on the property.

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A motion was made by Mr. Clarke and seconded by Mr. Madden to close the hearing and issue a negative 3 determination upon notice from the town collector that all taxes are current.

### **CONTINUED BUSINESS**

#### **Draft OOC with special conditions for 211 Barker Street, Herring Run Park project, DEP File # SE056-1025**

**Attendees: Mel Higgins, Weston & Sampson; Paul Brogna, Seacoast Engineering**

Mr. Brogna explained to the members the timeline of his review of the project materials. He informed them of the plan's shortcomings including the following

- absence of an engineer's stamp on the plans
- benchmark elevation is no longer in existence – need a new benchmark
- 2014 existing conditions should not be used, need up-to-date existing conditions
- details such as flood zones, riverfront area and line, edge of wetlands, land ownership (book and page), setback distance to the resource area(s), etc...are still needed
- ADA components and grading to be included are unclear
- details of the "sand bag dam" are missing
- location and taglines of ADA bridge handrails should be shown
- concrete washout area should be shown

Mr. Brogna suggested the additional following conditions

- preconstruction conference after the installation of erosion controls
- as-built plans to be submitted at the conclusion of work
- submission of full construction drawings at least 14 days in advance of solicitation of bids
- submission of the expanded SWPPP at least 14 days prior to construction start date
- the DMF shall be a party to all conditions
- any plans related to the weirs/channeling shall be designed by a licensed engineer and have sufficient detail for construction
- adequate signage shall be installed prior to construction and shall properly depicted on the plans

Mr. Higgins was not opposed to the suggestions.

A motion was made by Ms. Simon and seconded by Mr. Egerton amend the special conditions to include Mr. Brogna's suggested conditions. All in favor. Motion passed unanimously.

A motion was made by Ms. Simon and seconded by Mr. Madden to accept the amended OOC as the final OOC. All in favor. Motion passed unanimously.

A motion was made by Ms. Simon and seconded by Mr. Madden to close the meeting at 8:28PM. All in favor.

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Materials and Exhibits

Request for Certificate of Compliance and accompanying documentation for 15 Ironwood Road  
Amended Order of Conditions for 50 Allen Street

Notice of Intent and accompanying documentation for Lower Chandler Mill Pond

Request for Determination of Applicability and accompanying documentation for 7 West Fish  
Street

Request for Determination of Applicability and accompanying documentation for 18 Glenwood  
Road

Request for Determination of Applicability and accompanying documentation for 300 Center  
Street

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

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