



**Pembroke Conservation Commission
Minutes of the Meeting of
February 11, 2019
Pembroke Town Hall, Veterans' Hall**

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; Richard Madden, Member; Mark Sotir, Chairman
Members absent: Scott Glauben, Vice Chairman; Sandra Simon, Member
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.

ADMINISTRATIVE BUSINESS

Certificates of Compliance (signed)

288 Mattakeesett Street
3 Silverwood Road

Partial Certificates of Compliance (signed)

7 Ironwood Road
8 Ironwood Road
34 Bristol Road

HEARINGS

Request for Determination of Applicability (RDA) – 0 Hobomock Street – Kovacic

Attendees: Mr. Patrick Johnson, Atlantic Design Engineers; Mr. Charles Kovacic, Centrica Business Solutions

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

Mr. Johnson explained to the members that the site is a 44 acre parcel located directly behind the Hobomock ice arena. The site was previously disturbed and used as a gravel pit and more recently, a public driving range. Glover Mill Pond and two perennial streams border the lot. The areas that are in question (approximately 3 acres) in the application are thought to be manmade depressions in the upland portion of the site and as such, should be found to be non-jurisdictional by the commission. The agent confirmed that the areas are in fact high ground areas and the depressions are remnants of the gravel pit operation that was once there. There was discussion about the possibility of potential vernal pools being present in the depressions. The applicant agreed to have his wetland scientist revisit the site and return with a report regarding the depressions. Some members mentioned they would visit the site on their own, as well.

A motion was made by Mr. Egerton and seconded by Mr. Madden to close discussion. All in favor. Motion passed unanimously.

A motion was made by Mr. Madden and seconded by Mr. Fellini to continue the hearing to a future meeting date. Mr. Clarke was not in favor of the motion. All other members were in favor. Motion passed.

Notice of Intent (NOI) – Center Street – Fulmine (DEP File # SE056-1028)

Attendees: Mr. Wayne Keefner, Design Consultants, Inc.; Don Donovan, abutter

Mr. Keefner explained that he was before the commission again to address questions that were raised at the initial hearing on January 28. One of the questions was related to the potential increase in runoff directed toward Hobomock Pond as a result of the project and the other was whether Design Consultants, Inc. would consider lowering the entire drainage system between Hobomock Pond and Herring Brook to address some of the flooding issues at Hobomock Pond. Mr. Keefner did some research regarding the potential increased runoff and found that stormwater runoff would be about .6% for the 2-year storm and less than .1% for the 100-year storm. He then informed the members that he spoke to Mr. Eugene Fulmine, DPW Director, regarding the question about lowering the drainage system. The result of the conversation was that it is not in the plan and it is not being considered.

The agent discussed the ongoing treatments at the ponds and stated that the pipe that discharges out of the pond, at Hobomock, is currently blocked so the weeds cannot migrate. Although DEP may not agree with bypassing the pond because more water is being directed downstream. However, if it was being directed into the pond, it would come back up, anyway. The agent then mentioned the inlet pipe that travels down Center Street and is situated between the building where Real Estate Rocks is located and the adjacent parking lot that is part of the property with the restaurant formerly known as Arrow. He asked if there was any plan to put the pipe on the permanent easement - Mr. Keefner said there is not. The agent stated that there will be a special condition that makes it a requirement of the DOT to clean the pipes within the project area at the pond and he asked that this be included on the plan.

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

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A motion was made by Mr. Clarke and seconded by Mr. Madden to build according to plans and issue an order of conditions based on the plans and the items discussed in the meeting. All in favor. Motion passed unanimously.

OLD BUSINESS

Chimney repair at herring superintendent's building at Herring Run Park

Mr. Madden informed the members that he is currently soliciting quotes for repair of the chimney/woodstove at the smaller building at Herring Run Park. There was discussion about the ownership of the building and the necessity of and spending of funds on a woodstove in a building that would not be accessible to the public. Mr. Madden reiterated his stance that the smell of smoke is "traditional" there and the Pembroke Herring Fisheries Commission (HFC) members should be able to get warm by the fire if they get wet during their work. He further stated that the building could also be used for PHFC meetings. The agent informed the members that a vote was taken by the commission in 2017 that determined that the appropriate course of action would be for the Pembroke Herring Fisheries Commission to submit an application for funding to the Pembroke Community Preservation Committee (CPC) for funding for the woodstove and other updates/repairs. The chairman asked why an application was not submitted to the CPC. Mr. Madden said that he believes the HFC should not be responsible for applying for the funding. The chairman advised the members that he would be soliciting an opinion from town counsel of whether it was a conflict of interest for the HFC members of the commission, who are presenting a project that would be for their benefit as HFC members, to vote on the project they are presenting.

Administrative Review application submitted by the Pembroke Herring Fisheries Commission

The agent informed the members that the administrative review application submitted by the Herring Fisheries Commission for proposed work was rejected due to the fact that it was the inappropriate vehicle for the scope of work in a resource area. He further informed the members that the town manager submitted a notice of intent (NOI) just prior to the start of the meeting. There was discussion about what sorts of projects could be considered under administrative review. Mr. Egerton asked if it would be possible to issue an emergency order of conditions for the NOI that was submitted by the town manager.

A motion was made by Mr. Egerton and seconded by Mr. Madden to close discussion. All in favor. Motion passed unanimously.

A motion was made by Mr. Egerton and seconded by Mr. Madden to issue an emergency order of conditions for the work proposed at Gorham Mill Pond and Third Mill Pond in the NOI submitted by the Pembroke Herring Fisheries Commission on February 11, 2019, if deemed allowable by town counsel. All in favor. Motion passed unanimously.

UNSCHEDULED DISCUSSIONS

Change in membership

The chairman informed the members that Scott Glauben submitted a letter of resignation to the commission and to the office of the board of selectmen. He discussed the process for how

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vacancies are handled by the commission and stated that all applicants would be scheduled for an interview after the 14-day advertising period had closed.

Purchase of trees

Mr. Egerton and Mr. Madden discussed the funds that were approved to be transferred to the commission by the Pembroke Recreation Commission. They explained that they would like to purchase more trees to plant this spring. They were instructed to obtain an estimate for the cost for the trees they would like to purchase.

Status update on the condition of Bicentennial Trail

Mr. Madden informed the members about the work he's been doing on the trail. He mentioned that he would like it mowed so the new emergency vehicle that has been purchased by the town can access the trails. He would like to secure funding so the mowing is possible. The chairman advised him to speak to the town manager about the request for funding.

A motion was made by Mr. Madden and seconded by Mr. Egerton to close the meeting at 9:35PM. All in favor.

Materials and Exhibits

Certificates of Compliance for 288 Mattakeesett Street and 3 Silverwood Road and Partial
Certificates of Compliance for 7 Ironwood Road, 8 Ironwood Road and 34 Bristol Road
Request for Determination of Applicability (RDA) and accompanying documentation for 0
Hobomock Street
Notice of Intent and accompanying documentation for Center Street

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