



**Pembroke Conservation Commission
Minutes of the Meeting of
July 29, 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: Ronald Boidi, Member; Robert Clarke, Agent and Member; Arthur Egerton, Member; Gino Fellini, Member; Sandy Gremlich, Member (via remote participation); Mark Sotir, Chairman
Members absent: Richard Madden, Member
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. He also stated member Sandy Gremlich was participating in the meeting remotely, via telephone.

ADMINISTRATIVE BUSINESS

Minutes of the meeting

A motion was made by Mr. Boidi and seconded by Mr. Fellini to accept the minutes, as written, of the July 15, 2019 meeting. Clarke, Boidi, Sotir, Fellini, Egerton and Gremlich – “Aye.” All in favor. Motion passed unanimously.

Forms for Signature

Members signed the Determinations of Applicability for 271 Water Street and 58 Woodbine Avenue that were approved at the July 15, 2019 meeting.

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

Forms for Vote and Signature

A motion was made by Mr. Clarke and seconded by Mr. Fellini to issue a partial certificate of compliance for 31 Bristol Road. Clarke, Boidi, Sotir, Fellini, Egerton and Gremlich – “Yes.” All in favor. Motion passed unanimously.

A motion was made by Mr. Clarke and seconded by Mr. Fellini to issue a complete certificate compliance for 230 Water Street. Clarke, Boidi, Sotir, Fellini, Egerton and Gremlich – “Yes.” All in favor. Motion passed unanimously.

NOI for Consideration and Vote

The agent explained that the NOI is for land on Valley Street that is currently under Chapter 61A agricultural or horticultural land tax lien. The commission members were in favor of waiving the town’s right of first refusal.

A motion was made by Mr. Clarke and seconded by Mr. Fellini to inform the proper entities that the commission is not in favor of the town purchasing the land. Clarke, Boidi, Sotir, Fellini, Egerton and Gremlich – “Yes.” All in favor. Motion passed unanimously.

Agent’s Report

The agent informed the members of the preconstruction conference for the Herring Run Park project scheduled for July 31, 2019.

HEARINGS

Notice of Intent (NOI) – 44 Blueberry Lane – Anderson/Weleck, DEP File # SE056-1032

Attendees: Mr. Joseph Webby, Webby Engineering, Inc.; Mr. Sam Bernard, Bernard Construction; Ms. Beth Anderson and Mr. William Weleck, applicants

Mr. Joseph Webby explained that the application is for the demolition of the existing home and construction of a new home on the same footprint, except for a corner that will include the addition of a patio. Mr. Clarke asked how the demolition would be handled on such a small lot. Mr. Sam Bernard informed the members that the neighbors offered to temporarily remove sections of their fence for the allowance of construction equipment onto the Anderson/Weleck property. Mr. Clarke requested written authorization be obtained from the neighbors. Mr. Bernard explained that he would use mats and a mini-excavator on-site and concrete would be poured.

A motion was made by Mr. Clarke and seconded by Mr. Fellini to close the hearing. Clarke, Boidi, Sotir, Fellini, Egerton and Gremlich – “Yes.” All in favor. Motion passed unanimously.

A motion was made by Mr. Clarke and seconded by Mr. Fellini to issue an order of conditions and utilize the full 21 days allowable by law to issue the order. Clarke, Boidi, Sotir, Fellini, Egerton and Gremlich – “Yes.” All in favor. Motion passed unanimously.

The hearing was tentatively continued to July 29. Date will be adjusted, if necessary, upon retention of a peer reviewer.

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Request for Determination of Applicability (RDA) – 423 West Elm Street – Nassif

Attendees: Mr. Joseph Webby, Webby Engineering, Inc.

Mr. Joseph Webby explained to the members that the application is for the upgrade of the septic from a cesspool to a septic tank. The project has Pembroke Board of Health approval. The project has already commenced, as the original plan measurements showed filing with the commission would not be required. Mr. Webby was informed that the project would also require approval from the North River Commission. There was discussion about the installation of proper erosion controls.

A motion was made by Mr. Fellini and seconded by Mr. Egerton to close the hearing. Clarke, Boidi, Sotir, Fellini, Egerton and Gremlich – “Yes.” All in favor. Motion passed unanimously.

A motion was made by Mr. Clarke and seconded by Mr. Fellini to issue a negative 3 determination with the stipulations that the work ceases until all of the questions regarding the North River Commission are answered and proper erosion controls are installed. The commission exercises its right to take up to 21 to issue the determination. Clarke, Boidi, Sotir, Fellini, Egerton and Gremlich – “Yes.” All in favor. Motion passed unanimously.

Notice of Intent (NOI) – 0 Pleasant Street – Fulmine, DEP File # SE056-1033

Attendees: Mr. Nathaniel Parker, Weston & Sampson;

Mr. Nathaniel Parker explained to the members the application is for a 5-day pumping test. He gave the members an overview of the pumping process.

A motion was made by Mr. Fellini and seconded by Mr. Egerton to close the hearing. Clarke, Boidi, Sotir, Fellini, Egerton and Gremlich – “Yes.” All in favor. Motion passed unanimously.

A motion was made by Mr. Clarke and seconded by Mr. Egerton to allow the pumping test to proceed as presented in the application and plan. Clarke, Boidi, Sotir, Fellini, Egerton and Gremlich – “Yes.” All in favor. Motion passed unanimously.

Notice of Intent (NOI) – Third Mill Pond/Glover Mill Pond Channel, Gorman Mill Pond fishway – Thorne, DEP File # SE056-1034

Attendees: Ms. Lauren Sullivan, SOLitude Lake Management

Ms. Lauren Sullivan explained the plan for the removal of the overgrowth of aquatic vegetation to clear fish passageways for the herring. She further explained the hydroraking would not disturb the floor of the waterbodies.

A motion was made by Mr. Fellini and seconded by Mr. Egerton to close the hearing. Clarke, Boidi, Sotir, Fellini, Egerton and Gremlich – “Yes.” All in favor. Motion passed unanimously.

A motion was made by Mr. Clarke and seconded by Mr. Egerton to allow the hydroraking project as presented in the application and plan. SOLitude or the Herring Fisheries Commission inform the abutters, in writing, that any damages that may occur to their property will be remediated by one or both groups. Clarke, Boidi, Sotir, Fellini, Egerton and Gremlich – “Yes.” All in favor. Motion passed unanimously.

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Meeting adjourned at 8:00PM.

Materials and Exhibits

Draft minutes of the July 15, 2019 meeting

Determinations of Applicability for 271 Water Street and 58 Woodbine Avenue

Certificates of Compliance for 31 Bristol Road and 230 Water Street

NOI for Valley Street, Chapter 61A agricultural or horticultural land tax lien

Notices of Intent (NOI) and accompanying documentation for 44 Blueberry Lane, 0 Pleasant Street and Third Mill Pond, et al.

Request for Determination of Applicability (RDA) and accompanying documentation for 423 West Elm Street

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