



**Pembroke Conservation Commission
Minutes of the Meeting of
January 27, 2020
Pembroke Town 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: Mark Sotir, Chairman; Robert Clarke, Sr., Member; Sandy Gremlich, Member; Gino Fellini, Vice Chair; Ronald Boidi, Member; Arthur Egerton, Member; Richard Madden, Member

Staff present: Melissa Joyce, 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 of the meeting

A motion was made by Mr. Egerton and seconded by Mr. Boidi to accept the minutes, as written, of the January 13, 2020 meeting. All in favor. Motion passed unanimously.

Forms for Signature

Order of Resource Area Delineation (ORAD) Extension –(DEP # SE56-977) – 70 Old Cart Path Lane – A motion was made to extend the ORAD for three years by Mr. Egerton and seconded by Mr. Fellini. One opposed, Mr. Boidi. Motion passed.

Agent's Report

Mr. Clark stated that as we get into the season of tree planting, he hopes to get started on that earlier this year than past years for a smoother process.

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

Open Space Report

Open Space is moving forward with several projects. They are reaching out to Mass Audubon in regards to the barn swallows at 190 Barker Street. Trail marking is being done to connect trails between Lage and Bicentennial Trail.

Mr. Sotir asked about the barn swallows. Mr. Boidi said they are looking into whether they are a protected species in this area. Once that is determined, the committee must decide what to do with the structure. This is all part of the ongoing project at the Lage Property. Mr. Sotir opened this for discussion. Mr. Egerton stated he believes the habitat for the birds should be saved regardless of their protection status. Mr. Madden added that there are alternative structures that could be used if the building was demolished. Mr. Boidi and Mr. Clarke agreed that the building is currently a liability for the town. The commission is divided on what should be done with the building at this point and agrees it needs to be looked into further before a decision can be made. The building inspector has said there are structural faults in the building. Mr. Boidi would like to ask the Fire Department to stop using the building for drills since a protected species of birds may be living in there. The Master Plan for the property should better define what needs to be done. Mr. Clarke suggested tightening the access to the building in order to limit people using the trails on the property from entering an unsafe building.

Hearings:

Request for Determination of Applicability – 23 Lisa's Lane

In Attendance: Brendan Kling, Grady Consulting, LLC

This project is to clear and grade the lot for a single family home in a subdivision. The building, septic, and pavement are outside the buffer zone. Some clearing of trees and grading are just inside the 100' buffer zone. As per a previous lot in this subdivision, they plan to plant a row of cedar trees along the lower west border of the lot.

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

A motion to issue a -3 determination with the standard conditions plus the condition to plant 10 North Atlantic White Cedar trees along the lower west side of the property was made by Mr. Clarke and seconded by Mr. Fellini. All in favor, motion passed unanimously.

Notice of Intent - Herring Run Culvert (DEP File #SE056-1040) Continued from January 13, 2020

In attendance – Sarah Price, Alyssa Longo, Representatives

The project is to replace the twin culverts at Herring Run Park. Existing culverts are structurally deficient. The proposed plan is to replace twin culverts on the southern side of the park. The existing culverts are structurally deficient. They plan to replace in-kind, reestablish the access road, and the existing stone headwalls with concrete headwalls. They will be manufactured to look like stone in order to keep the aesthetic of the park. The stones that will be removed from the existing headwall will be left on site for future use by the town. Mr. Clarke stated that all grading and work done for this project must match up to the ADA standards set for the other project currently in process at the Herring Run Park. Mr. Fellini reminded the representative that he was curious about whether the pipes should be made larger than the current pipes. Mr. Clarke agreed that they could be larger. Ms. Price said that no hydrologic analysis has been done as that is not in the scope of the project. Mr. Boidi asked if the stream crossing expert had been consulted for the project. That has not been done. Mr. Clarke then stated that this project is currently proposed to fix the culverts. To do a full analysis to see if the culverts should be a different size could result in changes that need to be made elsewhere in the stream as well and disrupt the system for years.

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Mr. Madden agreed, stating the proposed project is definitely an upgrade to the existing culvert and to ensure access to the park it is better to do the project now.

Mr. Boidi asked about alternatives to the round pipes, perhaps a box culvert. Ms. Price said the scope of this project is to replace in kind the existing system.

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

A motion was made by Mr. Clark and seconded by Mr. Madden to issue an Order of Conditions with the standard orders as well as those discussed, including keeping all the fieldstone rocks removed from the existing structure be kept on site for future use, and adherence to the ADA standards set for the park, as well as adhering to the standards set forth by the Division of Marine Fisheries. Five ayes, Mr. Boidi voted nay, and Mr. Sotir abstained from voting. Motion passed.

Ongoing Business:

Bicentennial Trail: Mr. Clark suggested that the Board move all trail maintenance over to the Open Space Committee. There is still a question of where the funding will come, and the Commission has no clear answer. Mr. Clarke stated that the revolving account historically used by Conservation to fund trail maintenance and other projects was added into the general fund. Mr. Sotir asked what the Commission historically spent on trail maintenance and if gathering that information would make budget requests a simpler procedure going forward. Mr. Clarke agreed it would and the Administrative Agent will look into this. Mr. Boidi said Open Space is looking to connect all the trails in town. Mr. Madden stated that the Herring Fisheries use the paths often to get to the streams and it poses a safety issue.

Wild Parsnips: Mr. Clarke has spoken with the Board of Health regarding this issue. He believes it should be treated the same as the hydrilla issues in the past. He would like the Commission to advise on the removal, but since it poses a health issue, it should be a joint project. Mr. Sotir asked Ms. Joyce to draft a letter to the Board of Health asking for assistance in removing the wild parsnips and poison ivy. Ms. Joyce will draft the letter and present it at the next meeting for signatures.

Mr. Boidi has already reached out to the contractor that dealt with the wild parsnips last year and would like to gather a few more quotes to see what the options for removal would be. Mr. Sotir said to wait on gathering more quotes until we speak with Board of Health.

A motion was made by Mr. Fellini and seconded by Mr. Madden to close the meeting at 7:59pm. All in favor. Motion passed unanimously.

Materials and Exhibits

Draft minutes of the January 13, 2020 meeting

ORAD extension request – (DEP # SE56-977) 70 Old Cart Path Lane

Request for Determination of Applicability – 23 Lisa's Lane

Notice of Intent – Herring Run Culvert (DEP # SE056-1040)

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