



**Pembroke Conservation Commission
Minutes of the Meeting of
February 10, 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: Gino Fellini, Acting Chair; Robert Clarke, Sr., Member; Ronald Boidi, Member; Arthur Egerton, Member; Richard Madden, Member

Not Present: Mark Sotir, Chairman; Sandy Gremlich, Member

Staff present: Melissa Joyce, Administrative Agent

At 7:02PM, Mr. Fellini, acting 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, with the amendment of the misprint under “for vote & signature” of the January 27, 2020 meeting. All in favor. Motion passed unanimously.

Forms for Signature

Order of Conditions – Herring Run Culvert – (DEP # SE056-1040) – Mr. Fellini asked to include the Superintendent of the Herring Fisheries or his designee be included in the preconstruction meeting.

A motion was made to issue the Order of Conditions with above mentioned amendment by Mr. Clark and seconded by Mr. Madden. All in favor, none opposed. Motion passed unanimously.

Agent's Report

Tabled until after 7:10 hearing

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

Hearings:**Notice of Intent – 70 Old Cart Path Lane EXT (DEP File #SE056-1041)**

In attendance – Paul Seaberg, Grady Consulting

Abutters in attendance: Don Bryant, Sharon Bryant, Katie Allen, Rob Allen, Pam Laiosa, John Laiosa, James Carter, Tracey Carter, Kellene Falco, Ann Alther, Anne Nichols, Bruce Nichols, Jayne Stevens Monaghan

The project is a proposed subdivision. Site currently consists of a single-family home with existing driveway. There is a brook on the southerly portion with a 200ft riverfront area associated with it and a BVW. There is an approved ANRAD on the property. The applicant wished to extend Old Cart Path Lane approximately 450ft to a new cul-de-sac. Approximately 10% of the riverfront area will be disturbed to complete the proposed project. Mr. Egerton asked if there was a way to complete this project with encroaching on the riverfront area. Mr. Seaberg stated they had proposed that but were required by the Planning Board requires a maximum radius on the curve of the road be maintained and plans were revised. DEP required changes be made to the plan already.

Mr. Clark asked the effect of a new subdivision on the trails in that area. There is conservation land out behind that area, and access needs to be maintained.

Mr. Clark believes the Commission should exercise the right to hire an expert to go over the plans before making any decisions. The Town Bylaws allow for this action at the applicant's expense. Mr. Saia agreed to this.

Bruce Nichols, 145 Mountain Avenue, abutter, states that he understands that it is the property owner's right to build, but as an abutter he prefers not to see it done. The brook in that area is continuously running. There was a right of way off Mountain Avenue at one point that was filled in. The only access to the area is now through Old Cart Path Lane. The fire road that leads to the back of the high school is there. There was talk of adding parking spots to that area at one point over the years with nothing being done. The land in that area is continuously wet.

Mr. Seaberg explained the septic systems must be 100ft from the wetlands and the current plans maintain the required setbacks. He stated that individual lot plans would come before the commission at a later point. This hearing is for the proposed subdivision only.

A motion was made by Mr. Boidi and seconded by Mr. Madden to continue the discussion until a peer review can be completed. All in favor. Motion passed unanimously.

Ongoing Business:

Invited guest – Mike Buckley unable to attend, rescheduled to February 24, 2020.

Wild Parsnips: Mr. Clarke has spoken with the Board of Health regarding this issue. The board approved the letter written by the administrative agent to be sent to the Board of Health requesting assistance in the remediation of the wild parsnips.

Agents Report:

The office was made aware of possible filling of wetlands behind the property at 143 Barker Street by the DEP. Mr. Clark is looking into the issue and asked Mr. Fellini to accompany him on a possible site visit. He will reach out to DEP for more information.

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Unscheduled Discussions:

Mr. Fellini brought up replacing some of the cedar trees that were damaged at the Herring Run Park a few years ago.

Mr. Clark brought up that our tree program is not a written policy which causes some problems. This is an area he feels needs work. It has been the unwritten policy of the Conservation Commission that any tree cut down inside the jurisdiction of the wetland area had the option to plant 3 trees or donate \$10 per tree to the tree fund.

Mr. Boidi proposed looking into the current bylaws, policies, and procedures in order to modernize to fit the current practices. The policies and procedures of the Conservation Commission are not fully written out anywhere, which makes enforcement next to impossible. He suggested making it a goal for the commission for the year. Mr. Madden agreed. Mr. Boidi suggested that the goal of 2020 be to revise the current bylaw to allow the Conservation Commission to operate its own budget. He would like to set a quarterly goal and figure out how to best move forward.

A motion was made by Mr. Egerton and seconded by Mr. Madden to close the meeting at 8:13pm. All in favor. Motion passed unanimously.

Materials and Exhibits

Draft minutes of the January 27, 2020 meeting

OOB – (DEP # SE056-1040) Herring Run Culvert

Notice of Intent – 70 Old Cart Path Lane EXT (DEP # SE056-1041)

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