



**Pembroke Conservation Commission
Minutes of the Meeting of
January 7, 2021
Virtual**

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, Chair; Robert Clarke, Sr., Member; Ronald Boidi, Member; Arthur Egerton, Vice Chair

Members Not Present: Mark Sotir, Member; Richard Madden, Member; Sandy Gremlich, Member

Staff present: Melissa Joyce, Administrative Agent

At 6:01PM, Mr. Gino Fellini, Chairman, opened the meeting and stated pursuant to Governor Baker’s March 12, 2020 Order suspending certain provisions of the Open Meeting Law, G.L. c. 30A §20, and the Governor’s March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this public hearing of the Conservation Commission is being conducted via remote participation. No in-person attendance will be permitted, but the public can view this meeting while in progress. PACTV is providing this service on Comcast Government Access channel 15, and for those without cable, on their PRIME streaming channel by visiting www.pactv.org/live. Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment, by emailing the provided contact information. All votes during this meeting will be made via roll call.

ADMINISTRATIVE BUSINESS

Forms for Vote and Signature:

Certificate of Compliance – (DEP # SE056-605) 46 Milford Drive - A motion to issue a Certificate of Compliance was made by Mr. Clarke and seconded by Mr. Egerton. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Boidi, yes, Mr. Fellini, yes. Motion passed unanimously.

Certificate of Compliance – (DEP # SE056-142) 715 Washington Street - A motion to issue a Certificate of Compliance was made by Mr. Clarke and seconded by Mr. Egerton. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Boidi, yes, Mr. Fellini, yes. Motion passed unanimously.

Minutes – October 15, 2020 – A motion to accept the minutes was made by Mr. Egerton and seconded by Mr. Boidi. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Boidi, yes, Mr. Fellini, yes. Motion passed unanimously.

November 5, 2020 – A motion to accept the minutes was made by Mr. Egerton and seconded by Mr. Boidi. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Boidi, yes, Mr. Fellini, yes. Motion passed unanimously.

December 3, 2020 – A motion to accept the minutes was made by Mr. Egerton and seconded by Mr. Clarke. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Boidi, no, Mr. Fellini, yes. Motion passed.

Agent's Report: none

Open Space Liaison Report: A temporary sign has been posted at the Lage Preserve. The Committee is working to submit the final draft of the Open Space Plan to the state. Wildland's Trust is assisting in the creation of Conservation Restrictions at town properties and will present those when completed. Trail cleanups are going well, but a dumpster would be valuable at an upcoming cleanup day. A moratorium on hunting at the Lage Preserve is being drafted and will be presented at the next meeting.

Hearings:

Notice of Intent (NOI) – (DEP # n/a) – 83 Suomi Road

In attendance: Lawrence Silva, Rebecca Baptista, Silva Engineering; Kirsten, Uljas Koitto Temperance Society

This is to install an upgraded septic system. Majority of the work is outside the buffer zone. The proposed tank for the sauna/bathhouse is 10 feet from the resource area. Proposal is to bring a water line out to the existing building and remove the well. A new pump chamber will be installed with no outflow. The tank will be for gray water only, no bathrooms are in the bathhouse. The leeching field is further out on the property outside of the buffer zone.

A motion to continue the hearing was made by Mr. Clarke and seconded by Mr. Boidi. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Boidi, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

A motion to issue an Order of Conditions with the standard special conditions once a DEP file number has been issued was made by Mr. Clarke and seconded by Ms. Gremlich. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Boidi, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

Request for Determination of Applicability – (RDA) – 4 Andrew Drive

In attendance: Freeman Boynton, Duxbury Construction

This hearing is to install a septic system. Current system needs to be replaced. Tank will be 54 feet from the BVW. Leeching field is 102 feet from BVW.

A motion to close the hearing was made by Mr. Boidi and seconded by Mr. Clarke. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Boidi, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

A motion to issue a -3 determination with the usual conditions was made by Mr. Clarke and seconded by Mr. Boidi. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Boidi, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

Notice of Intent (NOI) – (DEP # n/a) – 18 High Avenue

In attendance: James Farrell, homeowner

This hearing is to replace an existing retaining wall. Wall will be approximately 60 feet long, slightly longer than the existing one, 3 feet high, and about 10 feet from the water's edge. Wall will be interlocking precast blocks with a crushed stone base.

A motion to continue the hearing was made by Mr. Clarke and seconded by Mr. Boidi. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Boidi, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

A motion to issue an Order of Conditions with the standard special conditions once a DEP file number is issued was made by Mr. Clarke and seconded by Mr. Boidi. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Boidi, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

Notice of Intent (NOI) – (DEP # SE056-1059) – 71 Plymouth Street

In attendance: Terry McGovern, Stenbeck & Taylor;

This is a continued hearing for the construction of a new single-family home. Revised plans were submitted and presented at the previous meeting with a catch basin and enlarged replication area. The proposed plan is a 24 x 36 cape style house on the southerly side of the property. The septic has been approved by the BOH and closer to the street. There is an existing culvert under Plymouth Street. A 24-inch pipe will be added to the end of the culvert and a catch basin will be added in the area as well. The pipe will be enclosed with a 25-foot drainage easement which will be granted to the town, the responsibility of clearing the easement would be the property owner. Two replication areas meeting the 2.5:1 replication area requirement is proposed. A planting list has been submitted for the replication area. The replication areas will be created before the construction of the house is permitted per Mr. Clarke. Performance standards will be met during replication. Elevations of the lot will not change drastically. Monitoring of the replication area for two growing seasons will be completed.

Mr. Clarke stated that the plans all comply with WPA state law. Abutters have been invited to join the Zoom call in order to ask questions as this has been a project of concern for the neighbors. A letter from abutter Carol Meyer was read by Ms. Joyce. Abutter Jacqui MacMillan stated that the conditions of the property in May when the wetlands were delineated are not representative of normal conditions due to a dry winter and drought. She was concerned that runoff from the project will flood her basement. Mr. McGovern explained that the existing pipe is being extended and the new catch basin at the culvert will

divert water away from the surrounding properties. Janet Broderick, a direct abutter, was also concerned that the project would flood her basement. Mr. McGovern stated that the replication area and drainage ditch will absorb that water. The design of the drainage on the property will actually help flow the water away from neighboring homes and into the drainage ditch. Kevin Lambiase, abutter, asked if the elevation change and new wall will make the water worse. Mr. McGovern explained that the water currently flows towards the bog. The driveway pitches away from the neighboring house. Gutter and downspouts on the rear of the house steer the water towards the wetlands, grading of the driveway pushes water towards the proposed fill area.

A motion to close the hearing was made by Mr. Clarke and seconded by Ms. Gremlich. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, no, Mr. Boidi, no, Ms. Gremlich, no, Mr. Fellini, yes. Motion failed.

Mr. Boidi stated that the plan does not address the grading to his specifications and doesn't include the Broderick's property in the survey. Mr. McGovern stated that they do not have the right to extend the survey on to abutting properties. The grading and flow of water is all directed away from other homes and towards the bog area.

A motion to close the hearing was made by Mr. Clarke and seconded by Ms. Fellini. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Boidi, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

A motion to issue an Order of Conditions with the standard special conditions and the addition of a condition stating all grading on the lot must go towards the bog area was made by Mr. Clarke and seconded by Mr. Egerton. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Boidi, no, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed.

A motion was made by Mr. Clarke and seconded by Mr. Egerton to adjourn the meeting at 7:52pm. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Boidi, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.