



**Pembroke Conservation Commission
Minutes of the Meeting of
October 6, 2022
Veterans Memorial Hall, 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: Arthur Egerton, Chair; Teresa Harling, vice chair; Robert Clarke, Sr., member; Gino Fellini, member; James Campbell, member; Richard Madden, member

Not present: Sandy Gremlich, member

Staff present: Sabrina Chilcott, Assistant Town Manager

At 7:00PM, Mr. Arthur Egerton, chair, opened the meeting and asked the members to introduce themselves, 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 – September 1, 2022 – not in packet, move to table to next meeting.

Forms for Vote and Signature:

Request for Certificates of Compliance – 3 Foster Avenue - A motion to issue a Certificate of Compliance for was made by Mr. Fellini and seconded by Mr. Madden. Motion passed unanimously.

Open Space Liaison Report: Clean up at Tubb’s Meadow went well. Not well attended, but work got done. Trail markings still need to be done. Town Manager’s office is able to advertise for trail cleanings if information is given. There are two dumpsters at the site, one is broken and should be removed. Mr. Fellini stated that the two dumpsters create an opportunity for people to dump household trash. Dog bag dispenser is no longer available. Mr. Campbell fixed the sign that was spray painted. He is interested in getting signs up to warn against ATV riding in the trails. Someone spray painted the trails to say “No ATVs” but it looks like graffiti. Mr. Clarke noted that enforcement is an issue for the ATVs, no good solutions have been presented.

Hearings:

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

Abbreviated Notice of Resource Area Delineation – DEP #SE056-1086 –0 & 74 Congress Street

In attendance: Kevin Grady, Grady Consulting

Peer Review completed by Arthur Allen of EcoTec. Several flags were eliminated and moved after a site visit with the engineers, wetland scientist, and peer review engineer. All in agreement.

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

A motion to issue an Order of Resource Area Delineation was made by Mr. Clarke and seconded by Mr. Fellini. Motion passed unanimously

Request for Determination of Applicability – 44 Pheasant Lane

In attendance: Joe Casna, Crystal Construction

This RDA is for the installation of an inground pool. There is no alternative area for the pool. The area is previously disturbed and will require no tree removal. A silt sock will be installed along the limit of work.

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

A motion to issue a -3 Determination with the standard conditions was made by Mr. Clarke and seconded by Mr. Fellini. All in favor, motion passed unanimously. Mr. Egerton noted that any person aggrieved by this decision has the right to appeal within 10 business days.

Notice of Intent – DEP #SE056-1089 – 58 Alvern Road

In attendance: Mark & Ann Marie Mohan, homeowners

This NOI is to remove and replace an existing retaining wall at the edge of the pond. There is a tree that could be disturbed by the new wall. Homeowners requested to move wall out to save the tree. Mr. Clarke cautioned that the tree would become unstable over time and recommends removing the tree and replanting one in a different area of the property in order to have the retaining wall remain in a straight line. All commissioners agreed. Mr. Clarke noted that a silt fence will work better for this project as it will decrease debris into the pond.

A motion to close the hearing was made by Mr. Fellini and seconded by Mr. Madden. Motion passed unanimously.

A motion to issue an Order of Conditions to build according to plan, with the allowance of a silt fence and removal of the tree was made by Mr. Clarke and seconded by Mr. Fellini. Motion passed unanimously. Mr. Egerton stated that anyone aggrieved by this decision has the right to appeal within 10 business days.

Request for Determination of Applicability – 14 Harvard Street

In attendance: Billy Cushing

This RDA is for the demolition of an existing single-family home and construction of a new single-family home with associated utilities and landscaping. Silt sock will be placed at the limit of work. Yard needs

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extensive cleanup and will be replanted with grass to stabilize lot. New septic is going up front, away from the BVW. Old system will be collapsed and filled in.

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

A motion to issue a -3 Determination with the standard conditions was made by Mr. Fellini and seconded by Mr. Madden. All in favor, motion passed unanimously. Mr. Egerton noted that any person aggrieved by this decision has the right to appeal within 10 business days.

Ongoing Business:

71 Plymouth Street – letters went out to the new owners. If new plans are needed, they need to be submitted, if the existing plans can be completed it needs to be done to plan.

70 Toole Trail – engineered plans have been requested, approved by wetland scientist. This must be monitored going forward.

Herring Run Maintenance – water wheel is broken and taken out. Mr. Madden stated that the wheel was not engineered correctly and was installed anyway. Mr. Clarke asked Ms. Chilcott to have the wheel removed and inspected.

Mr. Campbell requested information on what else can be done at Tubb's Meadow. Ms. Chilcott suggested speaking to the Police Department regarding language on signs prohibiting ATV use on town-owned land. She suggested getting a count on how many signs should be ordered. The board also requested that the broken dumpster be removed. Pickup is seasonal, so a request can be made to remove. Mr. Campbell requested permission to repaint the sign at Tubb's Meadow. Mr. Clarke suggested filling out an Administrative Review form to do that project.

A motion to end the meeting was made by Ms. Harling at 8:28pm, seconded by Mr. Fellini. Motion passed unanimously.

Materials and Exhibits

Request for Certificate of Compliance 3 Foster Avenue

Request for Determination of Applicability and accompanying document – 44 Pheasant Lane

Notice of Intent and accompanying documents– 58 Alvern Road

Abbreviated Notice of Resource Area Delineation and accompanying documents – 0 & 74 Congress Street

Request for Determination of Applicability and accompanying document – 14 Harvard Street

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