



**Pembroke Conservation Commission
Minutes of the Meeting of
January 5, 2023
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; Gino Fellini, member; James Campbell, member; Richard Madden, member

Not present: Robert Clarke, Sr., member; Sandy Gremlich, member

Staff present: Melissa Joyce, Conservation Administrative Agent

At 7:00PM, Mr. 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 – December 2, 2022 – A motion to accept the minutes as written was made by Mr. Madden and seconded by Mr. Fellini. Motion passed unanimously.

Forms for Vote and Signature:

Request for Certificate of Compliance – DEP #SE56-934 – 60 Canoe Club Lane - A motion to issue a Certificate of Compliance was made by Mr. Fellini and seconded by Mr. Madden. All in favor, motion passed unanimously.

Hearings:

Request for Determination of Applicability (RDA) – 150 Brick Kiln Lane

In attendance: James Garfield, Morse Engineering

The existing system is a cesspool. Proposed upgrade is Board of Health approved. Leaching field will be outside the buffer zone, tank will be in the 50-100-foot section of the buffer zone. Proposed system removes more nitrogen than a conventional system.

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

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

A motion to issue a -3 determination with the standard conditions was made by Mr. Fellini and seconded by Mr. Madden. 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 (RDA) – 77 Furnace Lane

In attendance: no representative

RDA is for an upgraded septic system. Tank and field are proposed as far from the pond as possible, in the front yard. The closest point is 74-feet to Furnace Pond.

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

A motion to issue a -3 determination with the standard conditions and the addition of a pre-construction on-site meeting was made by Mr. Madden and seconded by Ms. Harling. 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 (RDA) – 108 Church Street

In attendance: Randy Miron, Bohler Engineering

A Determination was issued in 2015 stating that the Isolated Vegetated Wetland area is non-jurisdictional due to size. The determination expired. The wetlands have been recently delineated and no change in size has been confirmed. There are no building plans, but potential uses are being examined.

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

A motion to issue a -1 and a -6 determination was made by Mr. Fellini and seconded by Ms. Harling. Motion passed unanimously. Mr. Egerton stated that anyone aggrieved by this decision has the right to appeal within 10 business days.

Notice of Intent (NOI) - DEP #SE056-1090 – Congress Street Culvert

In attendance: Ryan Paul, Maria George, Environmental Partners

This NOI is to replace the failed culvert. The existing culvert is 2x2 fieldstone, no mortar and the failure is at the junction of the pipe and stone. The site is restricted by a gas pipe running directly above the culvert. The proposed replacement is a 2x6 opening with a 4x6 pre-cast concrete culvert and 2-feet of fill along the bottom to replicate the streambed. DEP comments have been addressed by the engineers. There will be replication and with the headwall closer to the roadway, wetland area will increase. The gas main will be wrapped per Eversource for protection during construction.

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

A motion to issue an Order of Conditions to build according to plan was made by Mr. Fellini and seconded by Ms. Harling. Motion passed unanimously.

Mr. Egerton stated that anyone aggrieved by this decision has the right to appeal within 10 business days.

WPA Violation Update – 70 Toole Trail – continued to February 2, 2023

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New Business:

Indian Head River Restoration Presentation – Becky Malumet, NSRWA

The proposed dam removal at the Indian Head River is in the early stages of development. Presentation is being made before multiple boards, and NSRWA will keep all towns apprised of future studies and developments.

A motion to end the meeting was made by Mr. Fellini at 8:32pm, seconded by Mr. Madden. Motion passed unanimously.

Materials and Exhibits

Request for Certificate of Compliance – DEP #SE56-934 – 60 Canoe Club Lane

Request for Determination of Applicability and accompanying documents – 150 Brick Kiln Lane

Request for Determination of Applicability and accompanying documents – 77 Furnace Lane

Request for Determination of Applicability and accompanying documents – 108 Old Church Street

Notice of Intent and accompanying documents – Congress Street Culvert

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