



**Pembroke Conservation Commission  
Minutes of the Meeting of  
February 2, 2023  
Conference Room 13, 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; Robert Clarke, Sr., member

**Not present:** 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 at future dates and that all comments made in open session would be recorded.

**ADMINISTRATIVE BUSINESS**

**Minutes** – January 5, 2023 – A motion to accept the minutes as written was made by Mr. Fellini and seconded by Ms. Harling. Motion passed.

**Agent’s Report:**

A proactive plan should be created for the Spring tree planting. It is past time to order trees and to determine where they should be planted and when. Plantings have been done in bogs in previous years. Someone needs to create a plan and present it before the board for approval. If it is too late to procure trees for this year, a plan should still be in place for the next available time frame.

Mr. Egerton asked the board to send any suggestions to him by email. Mr. Clarke stated that Open Space had been active in this area in recent years but have trailed off interest in continuing. Mr. Fellini raised concerns regarding the old white oak tree at the Herring Run Park that is directly beside the stream bed. He has reached out to Steve Ives to determine the best plan for this tree.

**Forms for Vote and Signature:**

**Request for Extension of an Order of Conditions – DEP # SE056-1040 – Herring Run Culvert** – A motion to extend the Order of Conditions for three years was made by Mr. Fellini and seconded by Ms. Harling. All in favor, motion passed unanimously.

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**Request for Certificate of Compliance – DEP #SE056-1089 – 58 Alvern Road** - A motion to issue a Certificate of Compliance was made by Mr. Campbell and seconded by Ms. Harling. All in favor, motion passed unanimously.

**Hearings:**

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

A request to continue the hearing to March 2, 2023 was made by the representative, Webby Engineering.

A motion to continue the hearing to March 2, 2023 at 7:10pm was made by Mr. Fellini and seconded by Ms. Harling. All in favor, motion passed unanimously.

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

In attendance: Darren Grady, Grady Consulting; Steven Leaman, homeowner

Mr. Clarke will abstain from making determinations on this property as he has hired Grady Consulting to do work on his own property. He will enforce any decisions made by the board but will not vote.

The new plan shows additional silt socks as well as the addition of a silt fence along one side of the property. Stormwater retention is done with gutters and a crushed stone bed. The homeowner claims someone has detached the gutters previously, but they will be fixed. Planting beds will be put in for the spring. Mr. Fellini asked how the erosion was being handled on the ROW side. There has been deep furrows along the length of the ROW. The engineer stated that a silt fence can be put along that side. Ms. Harling stated that she has seen erosion after each rainstorm. Once the ground is stabilized it will be landscaped. Grading will be completed, and the elevation on the ROW side will be raised and will fill those furrows. The commission stated that erosion on the ROW side needs to be addressed, both short term and long term. The engineer stated that silt socks can be added to that side for a short-term solution. Crushed stone will be added to that side and a plan showing these solutions will be submitted. Mr. Fellini asked what would be done for the opposite side. Ms. Harling stated that the erosion on that side is from the construction and needs to be addressed. The engineer again suggested crushed stone on the side of the wall to alleviate the movement of the sand onto the neighbor's stairs. Additional silt socks will be added to the lower portion and that area will be sod once the weather cooperates. Ms. Harling asked for a timeframe, Mr. Leaman stated the crushed stone could be done within the week. Ms. Smith, neighbor, stated that there are no downspouts on her side of the home. Mr. Leaman stated he has a contractor coming to complete those. Ms. Smith stated that there is constantly trash and debris on the property. She has had an immense amount of run-off on her property from the construction. She stated that the Planning Board required arborvitae along her property line. Mr. Leaman stated those will be planted once spring weather allows for it.

A motion to approve the partial improvements to the plan, including addition of the ¾" crushed stone, additional silt socks and fences, and trash removal as discussed, contingent on the submittal of a new plan was made by Mr. Fellini and seconded by Ms. Harling. Motion passed.

**Request for Determination of Applicability (RDA) – 29 Winter Street**

In attendance: Alfons Koka, EBI Consulting

This RDA is to construct a 5,000 square foot storage garage. Wetlands were delineated in October 2022. Parking, driveway, septic, and stormwater management will be added. There is 700-sf of impervious pavement in the buffer zone Riprap will be used to stabilize slope. Straw waddle and a silt fence will provide extra protection to the wetlands along the slope. Detention basin will infiltrate most stormwater. Septic system is awaiting approval from the BOH. Mr. Clarke informed the applicant of the tree policy, only a few trees will be removed. A landscape plan has been submitted to the planning board. Mr. Clarke

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stated that the soil erodes easily in this area. The engineer stated that if riprap is not sufficient along the slope, a cement block wall can be constructed in this area.

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

A motion to issue a -3 determination with the standard conditions 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.

### **Ongoing Business:**

**Spring Tree Planting** – Mr. Clarke stated that moving away from the Atlantic White Cedar could be beneficial since the inventory seems to be very low. Mr. Egerton asked if we should set a limit for spending for the plan. Mr. Clarke stated that approval by Mr. Chenard will be required before plantings are completed. Mr. Egerton stated he would assemble a plan and present it at the next meeting.

Mr. Clarke made a motion to allow Mr. Egerton to create a plan and to spend no more than \$3-4000 on future plantings, either for this spring or a later date if inventory is low. Motion seconded by Mr. Fellini. Motion passed unanimously.

A motion to end the meeting was made by Mr. Fellini at 8:25pm, seconded by Mr. Campbell. Motion passed unanimously.

### **Materials and Exhibits**

Request for an extension of an Order of Conditions -DEP # SE056-1040 – Herring Run Culvert

Request for Certificate of Compliance – DEP #SE056-1089 – 58 Alvern Road

Updated plans – 70 Toole Trail

Request for Determination of Applicability and accompanying documents – 29 Winter Street

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