



**Pembroke Conservation Commission
Minutes of the Meeting of
September 7, 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.

Open Meeting Law, G.L.c. 30A § 22.

All materials presented during this meeting are available in the Pembroke Conservation Commission office.

Members present: Arthur Egerton, Chair; Teresa Harling, vice chair; James Campbell, member; Gino Fellini, member, Rick Madden, member; Nicole Pelletier, member; Robert Clarke, Sr., member, and Agent.

At 7:00PM, Mr. Egerton, chair, opened the meeting then stated that the proceedings would be made available to the public at future dates and that all comments made in the open session would be recorded.

ADMINISTRATIVE BUSINESS

Certificate of Compliance – 17 Cardinal Circle - OOC Doc. 671408

Mr. Fellini made a motion to issue a certificate of compliance for 17 Cardinal Circle, the motion was seconded by Ms. Harling. Motion passed unanimously.

Fish Passage Restoration Project – Gorham Mill Pond Dam, Herring Brook

Mr. Clarke expressed reservations about initiating the fish ladder replacement at Gorham Mill Pond Dam without the required filings for DEP. He mentioned that in many cases DEP would ask that a NOI be filed for any work on waterways. Mr. Fellini referenced the email request from Brad Chase at DMF which referenced the fact that several of the recent fish ladder replacements were conducted without an RDA or NOI and are acceptable with DEP if the work is performed under DMF review. Mr. Fellini made a motion to require an Administrative Review for the Fish Ladder replacement at Gorham Mill Pond Dam, the motion was seconded by Mr. Madden. The motion passed unanimously.

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

Mr. Madden brought up the issue of an invasive species he has observed near the Cumberland Farm location in the town center. He explained that it is a sack worm species native to New Zealand that consumes vegetation, (trees). Mr. Clarke asked if there was a forestry agent available, Mr. Madden mentioned the extension services in Hanson. Discussion regarding jurisdiction and who to consult continued. Further investigation by the Administrative Agent was requested.

The issue of erecting a memorial bench in Herring Run Park was discussed. Mr. Fellini pointed out that work was continuing at the park to improve ADA accessibility and make other improvements. It was suggested that any additional objects could pose a challenge and that it would be wise to hold off on anything new being added at this time. Mr. Clarke mentioned prior votes of the Commission prohibiting any additional memorial benches as the park is best left in a more natural state. Mr. Fellini made a motion to deny the request for a memorial bench until completion of the current park restoration when the request may be reconsidered. Mr. Madden seconded the motion. The motion passed unanimously.

The Administrative Agent provided an update of the preconstruction meeting for the Congress Street Culvert. Erosion controls are in place, and they are waiting for the precast concrete culvert to be delivered. Several trees have been identified for removal due to insect infestation.

Mr. Clarke mentioned that on Silver Lake there is a buoy with DMF markings on it. He would like to know what DMF is doing on the lake. The Administrative Agent will inquire with Brad Chase at DMF and report back.

Hearings:

Enforcement Order – 98 Barker St. & 409 Washington St., (continued from August 17, 2023).

As the attorneys for both sides were not available for the hearing a request was made by Attorney Brodsky, representing 98 Barker Street Trust for a continuation. Dates for consideration were discussed. A motion was made to continue the public hearing to Tuesday, September 19 at 7:15PM by Mr. Clarke, seconded by Mr. Fellini. Motion passed unanimously.

Abbreviated Notice of Resource Area Delineation – (ANRAD) – 51 & 55 Chapel Street (continued from August 3, 2023)

The Administrative Agent explained that the applicant was asking for more time as a previous disturbance to the wetlands was uncovered during review of the ANRAD and a restoration plan was necessary. Mr. Fellini made a motion to continue the public hearing until October 5 at 7:30PM; the motion was seconded by Mr. Madden. The motion passed unanimously.

Ongoing Business:

As there was no ongoing business to discuss, Mr. Fellini made a motion to adjourn the meeting at approximately 7:35PM, the motion was seconded by Mr. Madden and passed unanimously.

Materials and Exhibits

Certificate of Compliance – 17 Cardinal Circle - OOC Doc. 671408

Enforcement Order – 98 Barker Street & 409 Washington Street

Wetlands Delineation plan – 98 Barker Street & 409 Washington Street

Abbreviated Notice of Resource Area Delineation – (ANRAD) – 51 & 55 Chapel Street

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