



**Pembroke Conservation Commission
Minutes of the Meeting of
April 18, 2017
Pembroke Town Hall, Veterans' 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.

Agenda – May include topics not reasonably anticipated by the chairman at time of posting of the meeting.

Open Meeting Law, G.L. c. 30A § 20.

Members present: Richard Madden, Vice Chairman; Robert Clarke, Agent; Arthur Egerton, Member; Scott Glauben, Member
Staff present: Rachel Keller, Administrative Agent
Members absent: Andrew Stevenson, Chairman

At 7:30PM, Mr. Richard Madden, Vice Chairman, opened the meeting and 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 would be recorded.

APPOINTMENTS

The vice chairman recognized Ms. Kathleen Cincotta and invited her to address the commission. Ms. Cincotta stated that this was the third time that she had appeared before the commission and at the last meeting she attended, she was told to return with six dates for her public rosary. She stated that her group had been meeting at Herring Run Park for approximately 9 months last year until “someone complained.” The vice chairman mentioned that, at previous meetings, it was the decision of the commission that Ms. Cincotta was to limit her public rosary request to one date at a time and to also find alternative locations for her group to meet – she acknowledged the fact her current request is for 6 consecutive Saturdays and there has not been any attempt to find alternative locations to hold the public rosary. She was advised to return to the commission for one particular date and to find alternative locations for the public rosary.

A motion was made by Mr. Clarke and seconded by Mr. Egerton to table the matter until Ms. Cincotta returns with her one-day request. All in favor. Motion passed.

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

PUBLIC HEARING

Notice of Intent (NOI) – Copperwood Estates, Map F4, lots 146-148 & 179-184 – Kelley
Invitees and attendees: Thomas Pozerski, *Merrill Engineers and Land Surveyors*; Eoghan Kelley, *Stonebridge Homes, Inc.*; Paul Brogna, *Seacoast Engineering*; Richard Sawler, *abutter*
Mr. Pozerski gave an overview of the project and details about the property. All lots are designed to be single-family home lots with onsite sanitation. Roof drains and locations and elevations for the foundation grades were added to the plans. All foundations will be raised due to groundwater at the location. There was discussion about the levels of water on the lots, with a full explanation by Mr. Pozerski of the measures taken in the drafting of the plans to address the concerns of Mr. Brogna regarding the water. There was discussion about changes that would be made to the special conditions drafted by Merrill, including updating the language regarding landscaping to state that the landscaping plan must be approved by the commission before the commencement of landscaping work, rather than when the building permit is approved. Lots 1, 17, 18 and 19 continue to hold standing water and will need to dry out prior to construction. Lots 2, 3, 4, 5 and 6 are fine for construction. Mr. Sawler asked for clarification regarding the lot numbers that were listed on his abutter's notice. It was acknowledged that a list of finalized lot numbers, once available, would need to be provided to the commission.

A motion was made by Mr. Clarke and seconded by Mr. Glauben to conditionally approve the general plan and comments. All in favor. Motion passed.

A motion was made by Mr. Clarke and seconded by Mr. Glauben to close on lots 2, 3, 4, 5 and 6. All in favor. Motion passed.

A motion was made by Mr. Clarke and seconded by Mr. Glauben to continue lots 1, 17, 18 and 19 for 3 weeks. All in favor. Motion passed.

DISCUSSIONS

The agent explained that, due to the town's current financial standing, it is prudent to allow deferment of repayment of the final \$5,000.00 loaned to the town for the purchase of the Gary Thorpe property located off Oldham Street.

A motion was made by Mr. Clark and seconded by Mr. Egerton to accept the delay in repayment of the final \$5,000.00 installment by the town. All in favor. Motion passed.

OLD BUSINESS

Bicentennial Trail

Mr. Glauben stated that, due to time constraints imposed by his current work schedule, it has been difficult to continue to try to go to speak to the property owners adjacent to the trail. He asked if other members of the commission could also make an attempt to contact the property owners about the trees that are safety hazards on the trail.

Wild Parsnip

Mr. Madden stated a gentleman, John Edgar, has offered to treat the wild parsnip for no charge if allowed to use certain processes. He provided a letter regarding the service to the administrative agent to distribute to the members. Mr. Clarke mentioned that it would be prudent to speak to Mr. Thorne and perhaps town counsel regarding the treatment. Mr. Madden would like to table the matter until the next scheduled meeting.

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

Herring Run Park – Fish Fry

Mr. Clarke asked Mr. Madden to ensure that the electricity is turned on for the fish fry at Herring Run Park. Mr. Madden agreed.

Chimney at Herring Run Park

Mr. Madden informed the members that the Herring Fisheries Commission will advertise for a professional to build a new cement block chimney on the building at Herring Run Park.

ADMINISTRATIVE BUSINESS

Minutes of the meeting

A motion was made by Mr. Clarke and seconded by Mr. Glauben to accept and approve the minutes of the March 27, 2017 meeting as written. All in favor. Motion passed.

PUBLIC HEARING

Notice of Intent (NOI) – 35 Ridge Avenue, Map B6, lot 198 – Mullen

Invitees and attendees: Paul Brogna, *Seacoast Engineering*; Gerald & Margaret Mullen; *property owners*; Joseph Chahine; *abutter*

Mr. Brogna explained that an NOI (SE56-918) relative to this work at this property was filed in 2012, but due to the economic conditions of the time, the plans did not proceed. Not much has changed from that filing to the current filing – the NOI is for a tear-down of the existing home and for construction of new house on the property. The plan has changed slightly – the square footage of the home is within 5-10% of what it has been. Mr. Chahine, abutter, had questions regarding the silt sock and existing fencing on the property. His questions regarding the construction materials were answered by Mr. Brogna, but he was referred to the Pembroke Zoning Board for answers regarding his questions about the existing fencing on the property.

A motion was made by Mr. Clarke and seconded by Mr. Glauben to close. All in favor. Motion passed.

NEW BUSINESS

West Elm Street cleanup

Mr. Egerton asked who was spearheading the landscaping work being done on West Elm Street and also asked if there should be silt sock between the where the work was being done and the river. Mr. Madden said he was at the site and saw that live trees were cut down. Mr. Glauben responded that although there is sufficient space between the work area and the river so as to not cause any damage, there will be silt sock in place on Wednesday (the following day) and he was not aware of any live trees being cut down, but if they were, they were in the area that the DPW was instructed to clear. There was general discussion about the safety hazards at the park.

At 9:02PM, a motion to adjourn was made by Mr. Clarke and seconded by Mr. Egerton. All in favor. Motion passed.

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

Materials and Exhibits

Letter dated June 9, 2016 from the BOS to Kathleen Cincotta regarding authorization for a public rosary at Herring Run Park

Email dated June 29, 2016 from Kathleen Cincotta to Sabrina Chilcott, Executive Assistant to the Town Administrator and Board of Selectmen, regarding further authorization for a public rosary at Herring Run Park

Minutes of the January 9, 2017 meeting and of the December 5, 2016 meeting regarding Kathleen Cincotta's request for a public rosary at Herring Run Park

Notice of Intent and accompanying plans – Copperwood Estates, Map F4, lots 146-148 & 179-184

Notice of Intent and accompanying plans – 35 Ridge Avenue

Draft minutes of the March 27, 2017 meeting

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