



**Pembroke Conservation Commission
Minutes of the Meeting of
March 9, 2020
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: Gino Fellini, acting Chair; Robert Clarke, Sr., Member; Ronald Boidi, Member; Richard Madden, Member; Arthur Egerton, Member

Not Present: Sandy Gremlich, Member;

Participating Remotely: Mark Sotir

Staff present: Melissa Joyce, Administrative Agent

At 7:04PM, Mr. Gino Fellini, acting Chairman, opened the meeting and asked the members to introduce themselves, and 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. He stated the Mr. Sotir is participating via remote participation in accordance with the requirements of 940 CMR 29.10 via speakerphone. All votes during this meeting will be made via roll call.

ADMINISTRATIVE BUSINESS

Minutes of the meeting: A motion was made by Mr. Clarke and seconded by Mr. Madden to accept the minutes, as written, of the February 24, 2020 meeting. Vote by roll call, Mr. Madden, yay, Mr. Egerton, yay, Mr. Fellini, yay, Mr. Clarke, yay, Mr. Sotir, yay. Motion passed unanimously.

Forms for Vote and Signature:

Order of Resource Area Delineation (ORAD) Extension – (DEP # SE56-980) - 715 Washington Street – Kevin Grady, Grady Consulting representing David Spurlings- This was continued from the last meeting. Questions were raised as to the status of the stream at that time. Mr. Grady sent over more information regarding the determination that was made by the commission when the ORAD was initially issued. There has been no work in the vicinity of the stream that would have changed the resource area. Mr. Fellini thanked the representative for all the documentation. A motion was made to extend the ORAD

for three years by Mr. Clarke and seconded by Mr. Madden. Vote by roll call, Mr. Madden, yay, Mr. Egerton, yay, Mr. Fellini, yay, Mr. Clarke, yay, Mr. Sotir, yay. Motion passed unanimously.

Certificate of Compliance (COC) - (DEP # SE056-1014) - 45 Taylor Street - A motion was made to issue a Certificate of Compliance by Mr. Clarke and seconded by Mr. Madden. Vote by roll call, Mr. Madden, yay, Mr. Egerton, yay, Mr. Fellini, yay, Mr. Clarke, yay, Mr. Sotir, yay. Motion passed unanimously.

Certificate of Compliance (COC) - (DEP # SE056-502) - 174 Dwelley Street- A motion was made to issue a Certificate of Compliance by Mr. Clarke and seconded by Mr. Egerton. Vote by roll call, Mr. Madden, yay, Mr. Egerton, yay, Mr. Fellini, yay, Mr. Clarke, yay, Mr. Sotir, yay. Motion passed unanimously.

Order of Conditions Extension - (DEP #SE056-872) - Oldham & Furnace Ponds - A motion was made to extend the Order of Conditions for three years by Mr. Clarke and seconded by Mr. Egerton. Vote by roll call, Mr. Madden, yay, Mr. Egerton, yay, Mr. Fellini, yay, Mr. Clarke, yay, Mr. Sotir, yay, Mr. Boidi, abstain. Motion passed.

Partial Certificate of Compliance (COC) - (DEP # SE056-0999) - 11 Ironwood Road- A motion was made to issue a partial Certificate of Compliance by Mr. Clarke and seconded by Mr. Egerton. Vote by roll call, Mr. Madden, yay, Mr. Egerton, yay, Mr. Fellini, yay, Mr. Clarke, yay, Mr. Sotir, yay, Mr. Boidi, yay. Motion passed unanimously.

Agent's Report: Mr. Clark informed the commission that the DEP is appealing the OOC issued for the Herring Run Culvert project (DEP # SE056-1040). There are few details yet, but this will put the finalization of the park repair off for another year. BEP has raised the question of using a box or arch culvert rather than replacing in kind. More information to follow.

Open Space Report: Tabled until after hearings

Hearings:

Notice of Intent – 715-737 Washington Street (DEP File #SE056-1042) Continued from February 24, 2020

In attendance – Kevin Grady, Grady Consulting, David Spurling, applicant, Jeff Deleacy, attorney

This hearing was continued from the last meeting. Several questions were raised at the last meeting that he is now able to answer. There are no chemicals being stored in the building. The secondary entrance is required for traffic safety. Mr. Fellini asked how that infringes on the resource area. Mr. Grady explained only the corner of the building is in the buffer zone. The proposed driveway leaves a 50' barrier for about 90% of the area. In order to have a reasonable slope on the driveway, it goes in to around 40ft. The area will not be landscaped and will be left to become naturalized. Mr. Clarke would like to add to the orders that for the first two years after the driveway is installed the commission will monitor the area in the 40ft area. Mr. Egerton asked if any trees would be replanted. Mr. Grady showed on the plans where trees are proposed to be planted. Mr. Clarke informed Mr. Grady of the policy of the commission where 3 trees must be planted for each removed tree, or \$10 per tree must be donated to the town's forestry account. Since it is a large area being cleared the commission will be satisfied with a donation of \$100/acre of cleared trees. Mr. Fellini asked what species of tree is being planted. Mr. Grady said they plan to plant red maples, white pine, river birch, Japanese holly, rhododendron. Mr. Madden requested more native species

be planted including witch hazel, white cedars. He stated that spade or red maple is an invasive species and the commission prefers not to see it planted in reclamation, or at all. He requested that be eliminated. Mr. Fellini suggested a list of acceptable species be provided in the Order of Conditions. Mr. Clarke would also like it added to the OOC that 4x4 posts be placed every 100', and every time the angle changes more than 25 degrees that an additional post be added. Mr. Fellini asked if there were any more comments. A motion to close the hearing was made by Mr. Clarke and seconded by Mr. Madden. Vote by roll call, Mr. Madden, yay, Mr. Egerton, yay, Mr. Fellini, yay, Mr. Clarke, yay, Mr. Sotir, yay, Mr. Boidi, yay. Motion passed unanimously.

Notice of Intent – 0 Hobomock Street (DEP File #SE056-1043) Continued from February 24, 2020

The representatives have requested a continuance on this hearing. A motion to continue this hearing until the March 23, 2020 meeting was made by Mr. Clarke and seconded by Mr. Madden. Vote by roll call, Mr. Madden, yay, Mr. Egerton, yay, Mr. Fellini, yay, Mr. Clarke, yay, Mr. Boidi, yay. Motion passed unanimously.

Open Space Report: Mr. Boidi reported that they are planning a trail cleaning event for March 29 at the town forest. They are looking to schedule more of these going forward. The committee is looking to start a trail stewardship program. Mr. Boidi also attended the MACC annual event and gathered more contacts and information for the town.

Mr. Fellini asked how the committee is reaching out to people. Mr. Boidi said they are mainly using social media and got about 30 people at their last event. The next events will be aimed towards younger residents, girl scout troops, etc.

A motion was made by Mr. Clarke and seconded by Mr. Madden to close the meeting at 7:43pm. All in favor. Motion passed unanimously.

Materials and Exhibits

Draft minutes of the February 24, 2020 meeting

ORAD extension request – (DEP # SE56-980) 715 Washington Street

COC request - (DEP # SE056-1014) - 45 Taylor Street

COC request - (DEP # SE056-502) - 174 Dwelley Street

COC partial request - (DEP # SE056-0999) - 11 Ironwood Road

OOC extension request - (DEP # SE056-872) - Oldham & Furnace Ponds

Notice of Intent – 715-737 Washington Street (DEP # SE056-1042)