



**Pembroke Conservation Commission  
Minutes of the Meeting of  
July 6, 2020  
Virtual**

*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:** Mark Sotir, Chair; Gino Fellini, Vice Chair; Robert Clarke, Sr., Member; Ronald Boidi, Member; Richard Madden, Member; Arthur Egerton, Member; Sandy Gremlich, Member;

**Staff present:** Melissa Joyce, Administrative Agent

At 7:01PM, Mr. Mark Sotir, Chairman, opened the meeting and stated pursuant to Governor Baker’s March 12, 2020 Order suspending certain provisions of the Open Meeting Law, G.L. c. 30A §20, and the Governor’s March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this public hearing of the Conservation Commission is being conducted via remote participation. No in-person attendance will be permitted, but the public can view this meeting while in progress. PACTV is providing this service on Comcast Government Access channel 15, and for those without cable, on their PRIME streaming channel by visiting [www.pactv.org/live](http://www.pactv.org/live). Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment, by emailing or calling the provided contact information. All votes during this meeting will be made via roll call.

**ADMINISTRATIVE BUSINESS**

**Minutes of the meeting:** A motion was made by Mr. Fellini and seconded by Ms. Gremlich to accept the minutes, as written, of the March 9, 2020 meeting. Vote by roll call, Mr. Egerton, yay, Mr. Madden, yay, Mr. Clarke, yay, Ms. Gremlich, yay, Mr. Fellini, yay, Mr. Sotir, yay. Motion passed unanimously.

**Forms for Vote and Signature:**

**Certificate of Compliance (COC) - (DEP # SE056-968) – 70 Toole Trail -** A motion was made to issue a Certificate of Compliance by Mr. Clarke and seconded by Mr. Madden. Vote by roll call, Mr. Egerton, yay, Mr. Madden, yay, Mr. Clarke, yay, Ms. Gremlich, yay, Mr. Fellini, yay, Mr. Sotir, yay. Motion passed unanimously.

**Order of Conditions (OOC) – (DEP# SE056-1042)** – Mr. Fellini asked to add conditions allowing commission members to enter the site during construction. He also asked that metal posts be installed between the 4x4 posts for better visibility. Mr. Madden would like reclamation planting to be approved by the commission. A motion was made to accept the Special Conditions as written with the additions mentioned this evening by Mr. Clarke and seconded by Mr. Fellini. Vote by roll call, Mr. Egerton, yay, Mr. Madden, yay, Mr. Clarke, yay, Ms. Gremlich, yay, Mr. Fellini, yay, Mr. Boidi, nay, Mr. Sotir, yay. Motion passed.

**Agent's Report:** Mr. Clarke is looking forward to getting back to meetings and getting more work done.

### **Hearings:**

#### **Request for Determination of Applicability (RDA) – 24 Lisa's Lane**

In attendance – Brendan Kling, representative Grady Consulting

Work has started, allowed by the agent during the Covid shutdown. The lot is very similar to the lot next door which has already been before the commission. New construction of a single-family home. Building is 102' from wetlands. Stairs o deck are 75' away. Within the buffer zone, the work will be site grading and tree removal. Most of the tree removal was approved during the subdivision and roadwork plan. If there are any further trees to be cut down, approval must come from the commission. A motion to issue a negative 3 determination and to build according to the plans was made by Mr. Clarke and seconded b y Mr. Fellini. Vote by roll call, Mr. Egerton, yay, Mr. Madden, yay, Mr. Clarke, yay, Ms. Gremlich, yay, Mr. Fellini, yay, Mr. Boidi, nay, Mr. Sotir, yay. Motion passed.

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

#### **Notice of Intent (NOI) – (DEP File #056-1041) – 70 Old Cart Path Lane EXT- con't from 2/10/2020**

In attendance – Paul Seaberg, Grady Consulting

At the last hearing the commission requested wetland markers be placed and a conservation easement be added to the plans. A peer review was performed by EcoTec. A more detailed construction sequence and riverfront analysis was recommended and provided by the representative. After revisions, the peer reviewer accepted the plans. A motion was made to close the hearing and issue an Order of Conditions by Mr. Clarke and seconded by Mr. Fellini. Vote by roll call, Mr. Egerton, yay, Mr. Madden, yay, Mr. Clarke, yay, Ms. Gremlich, yay, Mr. Fellini, yay, Mr. Boidi, nay, Mr. Sotir, yay. Motion passed.

#### **Taken out of Order: Reorganization of commission**

Mr. Sotir nominated Mr. Fellini to be chair, seconded by Mr. Madden. Vote by roll call, Mr. Egerton, yay, Mr. Madden, yay, Mr. Clarke, yay, Ms. Gremlich, yay, Mr. Fellini, yay, Mr. Boidi, yay, Mr. Sotir, yay. Motion passed.

Mr. Madden nominated Mr. Egerton to be vice chair, seconded by Mr. Fellini. Vote by roll call, Mr. Egerton, yay, Mr. Madden, yay, Mr. Clarke, yay, Ms. Gremlich, yay, Mr. Fellini, yay, Mr. Boidi, nay, Mr. Sotir, yay. Motion passed.

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

In attendance – Scott Goddard, Chris King, Charles Kovacic

At the last hearing, a revised plan with a substantial reduction in the number of solar panels was presented. This was in response to a previous appeal from DEP for alternatives in riverfront analysis and reduction in size. A draft Order of Conditions was sent that was more robust than the original issuance. The project was reduced by about 2000 panels and 2.5 acres, all within the riverfront. A motion was made by Mr. Fellini and seconded by Mr. Egerton to close the hearing. Vote by roll call, Mr. Egerton, yay, Mr. Madden, yay, Mr. Clarke, yay, Ms. Gremlich, yay, Mr. Fellini, yay, Mr. Boidi, nay, Mr. Sotir, yay. Motion passed.

A motion to issue an Order of Conditions was made by Mr. Clarke and seconded by Mr. Madden. Vote by roll call, Mr. Egerton, yay, Mr. Madden, yay, Mr. Clarke, yay, Ms. Gremlich, yay, Mr. Fellini, yay, Mr. Boidi, nay, Mr. Sotir, yay. Motion passed.

#### **Notice of Intent (NOI) – (DEP File #SE056-1046) 70 Toole Trail**

In attendance – Paul Seaberg, Grady Consulting

This project was before the commission previously and approved. It was never started and the OOC expired. The proposed project is to raze the existing home and construct a new 3-bedroom home with septic and leaching field on the property. The leaching field is 77.5' off the pond, the closest structure is 29' to the resource area. The old system will be pumped and removed. Mr. Boidi asked how many bedrooms the current structure has, but the information was not available. The Title IV requires a 3-bedroom system per the representative. Mr. Madden added his concern for the larger system that close to the pond. Mr. Boidi stated that the proximity to the pond is a concern for adding more bedrooms. Mr. Boidi stated that the assessors list the property as a 2-bedroom home, he does not think the commission should allow a bigger home than is currently there. The representative stated the homeowner would require 3 bedrooms to fit his family. Mr. Sotir suggested tabling this discussion in order to do more research. The representative stated the Board of Health has approved this and it is a significant improvement over what is currently there. Mr. Clarke stated he believes this is an acceptable project. He believes there should be extra erosion control measures put in place during construction. Mr. Boidi stated that every year we treat our ponds to keep them clean, so it is in the jurisdiction of the commission to protect it. Mr. Boidi suggested reaching out to M.A.C.C. for further information regarding septic in proximity of a pond. A motion to continue the hearing to July 16, 2020 was made by Mr. Fellini and seconded by Mr. Madden. . Vote by roll call, Mr. Egerton, yay, Mr. Madden, yay, Mr. Clarke, yay, Ms. Gremlich, yay, Mr. Fellini, yay, Mr. Boidi, yay, Mr. Sotir, yay. Motion passed.

#### **Notice of Intent (NOI) – (DEP File #SE056-1044) – 11 Brisan Way**

Applicant requested to continue until July 16, 2020. A motion was made by Mr. Clarke to continue the hearing until July 16, 2020 and seconded by Mr. Fellini. Vote by roll call, Mr. Egerton, yay, Mr. Madden, yay, Mr. Clarke, yay, Ms. Gremlich, yay, Mr. Fellini, yay, Mr. Boidi, yay, Mr. Sotir, yay. Motion passed.

A motion was made by Mr. Fellini and seconded by Mr. Madden to close the meeting at 8:08pm. Vote by roll call, Mr. Egerton, yay, Mr. Madden, yay, Mr. Clarke, yay, Ms. Gremlich, yay, Mr. Fellini, yay, Mr. Boidi, yay, Mr. Sotir, yay. Motion passed.

#### Materials and Exhibits

Draft minutes of the March 9, 2020 meeting

COC request - (DEP # SE056-968) – 70 Toole Trail

OOC Special Conditions – (DEP # SE056-1042) 715-737 Washington Street

RDA – 24 Lisa's Lane

NOI (DEP #SE056-1041) – 70 Old Cart Path Lane EXT

NOI (DEP #SE056-1043) – 0 Hobomock Street

NOI (DEP #SE056-1046) – 70 Toole Trail

NOI (DEP #SE056-1044) – 11 Brisan Way