



**Pembroke Conservation Commission  
Minutes of the Meeting of  
December 3, 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:** Gino Fellini, Chair; Robert Clarke, Sr., Member; Mark Sotir, Member; Arthur Egerton, Vice Chair; Richard Madden, Member; Sandy Gremlich, Member

**Members Not Present:** Ronald Boidi, Member

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

At 6:03PM, Mr. Gino Fellini, 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 the provided contact information. All votes during this meeting will be made via roll call.

**ADMINISTRATIVE BUSINESS**

**Forms for Vote and Signature:**

**Certificate of Compliance – (DEP # SE056-847) 3 Fir Road** - A motion to issue a Certificate of Compliance was made by Mr. Clarke and seconded by Mr. Madden. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Madden, yes, Mr. Fellini, yes, Mr. Sotir, yes, Ms. Gremlich, yes. Motion passed unanimously.

**Certificate of Compliance – (DEP # SE056-887) 56 Robinson Creek Road** - A motion to issue a Certificate of Compliance was made by Mr. Clarke and seconded by Mr. Egerton. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Madden, yes, Mr. Sotir, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

**Minutes** – August 27, 2020 – A motion to accept the minutes was made by Mr. and seconded by Mr. Clarke. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Madden, yes, Mr. Sotir, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

September 17, 2020 – A motion to accept the minutes was made by Mr. Clarke and seconded by Mr. Egerton. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Madden, yes, Mr. Sotir, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

**Agent's Report: none**

**Hearings:**

**Request for Determination of Applicability – (RDA) – 32 Monroe Street**

In attendance: Martin Lu, homeowner; Joe Casna, Crystal Clear Pools

This is to install an inground pool. This was continued until approval was granted by the ZBA to build 5 feet off the rear lot line. Approval was granted at their last meeting.

A motion to close the hearing was made by Mr. Clarke and seconded by Mr. Madden. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Madden, yes, Mr. Sotir, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

A motion to issue a -3 determination with the usual conditions was made by Mr. Clarke and seconded by Mr. Madden. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Madden, yes, Mr. Sotir, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

**Notice of Intent (NOI) – (DEP # SE056-1056) – 0 Crescent Avenue**

In attendance: Dave Klenhert, Collins Civil Engineering

This is to improve and extend Crescent Avenue and construct a single-family home with associated utilities. There are four lots on this road, this NOI is for the road improvement and one lot only. The lot is split between Halifax and Pembroke. There is an existing home on the lot on the Halifax side that will be razed and rebuilt in Pembroke, outside the 50-foot buffer zone. The proposal to improve the road will make it accessible for emergency vehicles. This requires approval from ZBA, Planning, and the Halifax Conservation Commission, which have been completed and approved. Stormwater management plans meet and exceed the standards. Mr. Clarke stated that silt fence is not allowed, and a 12" diameter silt sock is to be used. The septic for the home will be outside the 100-foot buffer zone on an easement on the abutting property.

A motion to close the hearing was made by Mr. Clarke and seconded by Ms. Gremlich. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Madden, yes, Mr. Sotir, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

A motion to issue an Order of Conditions with the standard special conditions was made by Mr. Clarke and seconded by Mr. Egerton. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Madden, yes, Mr. Sotir, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

**Notice of Intent (NOI) – (DEP # SE056-1066) – 28 Fish Street**

In attendance: Edward & Ellen Leonard, homeowners; Christopher Sanderson, Merrill Engineering; Brian Cain, contractor

This is to replace an existing retaining wall and build a patio. The old retaining wall is deteriorating. It will be replaced in kind with interlocking block, pre-cast system. Three small patio areas will be added to the back yard. A silt fence is proposed as the erosion control barrier as it will be placed in the water where a silt sock will not be sufficient to hold debris out of the resource area. The proposed patios will go on crushed stone on existing lawn and not change the grade. Silt fence will be pinned down or stabilized with blocks to deter debris from going under.

A motion to close the hearing was made by Mr. Clarke and seconded by Ms. Gremlich. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Madden, yes, Mr. Sotir, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

A motion to issue an Order of Conditions with the standard special conditions was made by Mr. Clarke and seconded by Mr. Egerton. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Madden, yes, Mr. Sotir, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

**Notice of Intent (NOI) – (DEP # SE056-1059) – 71 Plymouth Street**

In attendance: Terry McGovern, Stenbeck & Taylor

This is a continued hearing for the construction of a new single-family home. Revised plans were submitted with a catch basin and enlarged replication area. The proposed plan is a 24 x 36 cape style house on the southerly side of the property. The septic has been approved by the BOH and closer to the street. There is an existing culvert under Plymouth Street. A 24-inch pipe will be added to the end of the culvert and a catch basin will be added in the area as well. The pipe will be enclosed with a 25-foot drainage easement which will be granted to the town, the responsibility of clearing the easement would be the property owner. Two replication areas meeting the 2.5:1 replication area requirement is proposed. A planting list has been submitted for the replication area. The replication areas will be created before the construction of the house is permitted per Mr. Clarke. Performance standards will be met during replication. Elevations of the lot will not change drastically. Monitoring of the replication area for two growing seasons will be completed. Mr. Madden asked that any large rocks and downed pines remain on site for the habitat of the salamanders that are native to the area. He also requested red maple be taken off the replication list as it is invasive and not native. He suggested sassafras as a replacement.

Mr. Clarke noted that there has been a lot of concern from abutters, with multiple letters written and distributed to the engineer, applicant, and commission members, along with new emails received during this meeting. Continuing the hearing until the abutters have time to review the plans that just came in today. A meeting that includes the abutters has been requested to discuss concerns.

A motion to plan an on-site meeting with the abutters was made by Mr. Egerton. Ms. Joyce asked that we request advice from the Town Manager's office on the best way to proceed due to Covid restrictions. Mr. Clarke also noted that a site meeting this time of year can be tricky in the case of snow cover. Motion abandoned.

A motion to continue the hearing to include abutters was made by Mr. Clarke and seconded by Mr. Madden. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Madden, yes, Mr. Sotir, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

**Request for Determination of Applicability – (RDA) – 28 Woodbine Avenue (taken out of order)**

In attendance: Edna Grignon, homeowner

This is to build a deck, stairs, and landing to replace the existing structure. The home is on Little Sandy Pond. Current structure is deteriorating and needs replacing.

A motion to close the hearing was made by Mr. Clarke and seconded by Mr. Madden. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Ms. Gremlich, yes, Mr. Fellini, yes, Mr. Sotir, yes. Motion passed unanimously.

A motion to issue a -3 determination with the usual conditions was made by Mr. Clarke and seconded by Mr. Madden. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Madden, yes, Ms. Gremlich, yes, Mr. Fellini, yes, Mr. Sotir, yes. Motion passed unanimously.

**Request for Determination of Applicability – (RDA) – 138 Birch Street (taken out of order)**

In attendance: Tracy D’Attanasio, homeowner

This is to construct a garage and breezeway. The closest point to the wetlands is 85 feet.

A motion to close the hearing was made by Mr. Clarke and seconded by Mr. Madden. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Sotir, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

A motion to issue a -3 determination with the usual conditions was made by Mr. Clarke and seconded by Ms. Gremlich. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Madden, yes, Mr. Sotir, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

**Notice of Intent (NOI) – (DEP # SE056-1069) – 56 Copperwood Road**

In attendance: Christopher Sanderson, Merrill Engineering; Eoghan Kelley, Copperwood Circle Builders

This is for the construction of a new single-family home with a deck, driveway, utilities, and site grading. Closest point to the wetlands is 25 feet.

A motion to close the hearing was made by Mr. Clarke and seconded by Mr. Egerton. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Madden, yes, Mr. Sotir, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

A motion to issue an Order of Conditions and build according to the plan with standard conditions was made by Mr. Clarke and seconded by Mr. Madden. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Madden, yes, Mr. Sotir, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

**Notice of Intent (NOI) – (DEP # SE056-1068) – 51 Copperwood Road**

In attendance: Christopher Sanderson, Merrill Engineering; Eoghan Kelley, Copperwood Circle Builders

This is for the construction of a new single-family home. The home and the septic are partially within the 100-foot buffer zone.

A motion to close the hearing was made by Mr. Clarke and seconded by Mr. Madden. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Madden, yes, Mr. Sotir, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

A motion to issue an Order of Conditions and build according to the plan with standard conditions was made by Mr. Clarke and seconded by Ms. Gremlich. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Madden, yes, Mr. Sotir, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.

A motion was made by Mr. Egerton and seconded by Mr. Madden to adjourn the meeting at 7:55pm. Vote by roll call, Mr. Clarke, yes, Mr. Egerton, yes, Mr. Madden, yes, Ms. Gremlich, yes, Mr. Fellini, yes. Motion passed unanimously.