



**Pembroke Conservation Commission
Minutes of the Meeting of
April 7, 2022
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.

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; Arthur Egerton, Vice Chair; Robert Clarke, Sr., Member; Richard Madden, Member; Teresa Harling, Member; James Campbell, Member

Not present: Sandy Gremlich, Member

Staff present: Melissa Joyce, Administrative Agent

At 7:03PM, Mr. Gino Fellini, chair, opened the meeting and asked the members to introduce themselves, 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.

ADMINISTRATIVE BUSINESS

Minutes – March 3, 2022 – A motion to accept the minutes as written was made by Mr. Egerton and seconded by Ms. Harling. Motion passed unanimously.

Forms for Vote and Signature:

Request for Certificate of Compliance (SE56-271) – 23 Christina Marie Drive - A motion to issue a Certificate of Compliance was made by Mr. Clarke and seconded by Mr. Madden. Motion passed unanimously.

Request for Certificate of Compliance (SE56-446) – 23 Christina Marie Drive - A motion to issue a Certificate of Compliance was made by Mr. Clarke and seconded by Ms. Harling. Motion passed unanimously.

Agent’s Report: The property at 346 Washington Street (Chipco, formerly) has roadway debris in the driveway, DEP has reached out regarding this, but it is temporary. This is from the roadwork being done by the state. No plans have come to the commission for any future plans, but wetland flags have appeared and rumors are circulating about a possible project.

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

Open Space Report: Clean up day is scheduled for 4/23, Fish Fry is 5/1, IHR trail day 5/14. The committee has 3 kiosks ready to install. They will have trail maps and signage. The Lage is still being worked on, with plans being drawn up for the garden. Mr. Clarke mentioned that he believes a survey should be done at this property to do the project properly.

Hearings:

Notice of Intent – DEP #SE056-1081 – 224 Water Street

In attendance: Brad Holmes, ECR; Christina Currier & Robert Richards, homeowners

This Notice of Intent is for a residential lot; expansion of a gravel driveway over an existing cart path, relocation of existing shed, installation of fencing, construction of new boardwalk/footpath, and wetland replication. The cart path through the wetland area will be widened from 8-feet to 12-feet with minimal disturbances and covered with gravel. A 1:1 replication is proposed with 2 years of monitoring in 2 separate areas of the property. The shed is being relocated further from the BVW. Fencing will be installed. The pathway to the river will be 3-feet wide with some portions requiring boardwalk due to muddy sections in the wetland area. Future plans for a dock/kayak launch are being discussed but are not included. Applicant will file with the NRC as well, as this project falls within their jurisdiction.

A motion to close the hearing was made by Mr. Clarke and seconded by Mr. Madden. Motion passed unanimously.

A motion to issue an Order of Conditions to build according to plan with the addition of a pre-construction meeting with the agent and the allowance of 1:1 replication was made by Mr. Clarke and seconded by Mr. Madden. Motion passed unanimously.

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

Request for Determination of Applicability – (RDA) – 80 Monroe Street

In attendance: Kevin & Rachael O’Callaghan

This RDA is to remove an existing deck and construct a 2-car garage and mudroom. Existing home is 30-feet from the bog. Garage and mudroom will be connected to the home on the Kerri Lane side of the property, approximately 22-feet from the bog. This is all previously disturbed area with no tree removal required. Mr. Clarke mentioned that the bogs in that area are controlled by NRCS, and they do monitor the area throughout the year. Mr. Clarke requested an on-site visit with the contractor prior to the start of work.

A motion to close the hearing was made by Mr. Egerton and seconded by Mr. Madden. Motion passed unanimously.

A motion to issue a -3 determination with the standard conditions and the addition of a pre-construction on-site meeting was made by Mr. Egerton and seconded by Ms. Harling. Motion passed unanimously. Mr. Fellini stated that anyone aggrieved by this decision has the right to appeal within 10 business days.

Discussions:

Herring Brook Park O&M – In attendance: Brad Chase, DMF; Willard Boulter, Herring Fisheries Superintendent

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This plan is required by the OOC in place for the fishway at the Herring Run Park. This is a guidance document for the operation of the fishway for the town. Mr. Fellini requested “suitable” to be changed to safe and efficient in section 2. Agreed by Mr. Chase. Mr. Fellini requested stipulations be added regarding best passage conditions, a sentence will be added to address this. Mr. Chase noted that this is a living document and can be updated at any time if required. The original document was a working draft used for the last year, with this being the updated guidance in accordance with the OOC. Mr. Chase asked if adding language regarding the use of a logbook and staff gauge would be acceptable. All agreed. Changes will be made and sent back to the commission for approval. Mr. Clarke made a motion to accept the plan as discussed, seconded by Mr. Egerton. Motion passed unanimously.

Herring Brook Stream Maintenance Plan – update from the previously approved plan from 2016, very few changes have been made. A request to include beaver dam removal was mentioned to Mr. Chase. Beaver impediments can be removed in a structural fishway. The town can also petition the director of DMF to write a letter to the Division of Fisheries & Wildlife to remove the dam. DMF is in the process of requesting a process be established for this type of problem through DEP. Mr. Fellini asked that language be added to this plan stating the process for beaver dam removal in a fishway. Mr. Clarke requested that any documents or letters regarding beaver removal be passed along to the Commission. Mr. Clarke made a motion to accept the Stream Maintenance plan, seconded by Ms. Harling. Motion passed unanimously.

A motion to end the meeting was made by Mr. Madden at 8:27pm, seconded by Mr. Campbell. Motion passed unanimously.

Materials and Exhibits

Draft minutes of the March 3, 2022 meeting

Request for Certificate of Compliance (SE56-446) – 23 Christina Marie Drive

Request for Certificate of Compliance (SE56-271) – 23 Christina Marie Drive

Notice of Intent and accompanying documents– DEP #SE056-1081 – 224 Water Street

Request for Determination of Applicability and accompanying documents – (RDA) – 80 Monroe Street

Draft copy – Herring Brook Park Operations & Maintenance Plan

Draft copy – Herring Brook Stream Maintenance Plan

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