



**Pembroke Conservation Commission
Minutes of the Meeting of
December 1, 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: Arthur Egerton, Chair; Teresa Harling, vice chair; Robert Clarke, Sr., member; Gino Fellini, member; James Campbell, member; Richard Madden, member

Not present: Sandy Gremlich, member

Staff present: Melissa Joyce, Conservation Administrative Agent

At 7:00PM, Ms. Teresa Harling, acting chair, opened the meeting and asked the members to introduce themselves.

ADMINISTRATIVE BUSINESS

Minutes – October 27, 2022 – A motion to accept the minutes as written was made by Mr. Fellini and seconded by Mr. Madden. Motion passed unanimously.

Forms for Vote and Signature:

Request for Certificate of Compliance – DEP #SE56-120 – 330 Oak Street – A motion to issue a Certificate of Compliance was made by Mr. Clarke and seconded by Mr. Fellini. All in favor, motion passed unanimously.

Request for Certificate of Compliance – DEP #SE056-975 – Brisan Way - A motion to issue a Certificate of Compliance was made by Mr. Madden and seconded by Mr. Fellini. All in favor, motion passed unanimously.

Request for Certificate of Compliance – DEP #SE056-1044 – 11 Brisan Way

Request for Certificate of Compliance – DEP #SE056-1045 – 52 Brisan Way

Request for Certificate of Compliance – DEP #SE056-1050 – 49 Brisan Way – A motion to issue a Certificate of Compliance for DEP #SE056-1044, SE056-1045, and SE056-1050 was made by Mr. Fellini and seconded by Mr. Clarke. All in favor, motion passed unanimously.

Request for Certificate of Compliance – DEP #SE056-989 – 7 Copperwood Road

Request for Certificate of Compliance – DEP #SE056-983 – 20 Copperwood Road

Request for Certificate of Compliance – DEP #SE056-1062 – 28 Copperwood Road

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Request for Certificate of Compliance – DEP #SE056-1055 – 32 Copperwood Road
Request for Certificate of Compliance – DEP #SE056-1065 – 36 Copperwood Road
Request for Certificate of Compliance – DEP #SE056-1063 – 40 Copperwood Road
Request for Certificate of Compliance – DEP #SE056-1056 – 44 Copperwood Road
Request for Certificate of Compliance – DEP #SE056-1052 – 48 Copperwood Road
Request for Certificate of Compliance – DEP #SE056-1068 – 51 Copperwood Road
Request for Certificate of Compliance – DEP #SE056-1069 – 56 Copperwood Road
Request for Certificate of Compliance – DEP #SE056-1060 – 60 Copperwood Road
Request for Certificate of Compliance – DEP #SE056-1057 – 64 Copperwood Road
Request for Certificate of Compliance – DEP #SE056-1064 – 68 Copperwood Road
Request for Certificate of Compliance – DEP #SE056-1064 – 72 Copperwood Road - A motion to issue a Certificate of Compliance for DEP # SE056-989, SE056-983, SE056-1062, SE056-1055, SE056-1065, SE056-1063, SE056-1056, SE056-1052, SE056-1068, SE056-1069, SE056-1060, SE056-1057, SE056-1064, SE056-1061 was made by Mr. Fellini and seconded by Mr. Madden. All in favor, motion passed unanimously.

Agents Report:

The commission should start planning for Spring tree plantings. A plan of what to plant, where, and a reasonable amount should be decided. The tree recently planted at the Middle School needs to have protection from snowplows. Mr. Clarke is requesting the DPW put snow fencing around it to protect it.

Open Space Report:

The committee met 11/3. The chair is looking to step down, but no one has volunteered to take over the position. They are looking for direction from the Conservation Commission. The committee has many ideas they would like to implement with the assistance of the Conservation Commission.

Hearings:

WPA Violation – 70 Toole Trail – SE056-1046

In attendance – Steve Leaman, homeowner

The additional silt socks have been added as requested by the commission. The stone wall on the side of the house was originally on the plan to “remove and replace” which was vague. A wooden retaining wall has been built and will be landscaped to stop the erosion down that side of the house or into the neighbor’s yard. Mr. Fellini asked if this was an issue on both sides of the home. Mr. Leaman stated there is a ROW on the other side that needs to be built back up to support the pavement. Mr. Clarke stated that no engineered plans have been submitted as requested. None of this work was previously approved, therefore stamped engineered drawings will be required. There is no paperwork to back up the current work, and a permanent plan must be approved. The agent does not want to supply the homeowner with a solution, a proposed plan must be presented for approval. The board is not satisfied with the current situation, as the erosion down the sides continues. Ms. Harling asked where the gutters drain to, if there is a catch basin or anything to disperse the water properly. Mr. Leaman said there are gutters, but they just go to the sides of the house. Mr. Clarke stated that the retaining walls on the original plans are not there. Mr. Clarke stated that citations can be issued, but that the board is more interested in the homeowner presenting a solution to the problem and fixing it. This has been an ongoing issue for months. Mr. Verry, Building Inspector, stated the plans approved by the ZBA require a line of trees down the side of the property, which is not possible due to the steps down the hill. He continued by stating that the plans are no longer being followed and should be amended. Mr. Madden stated that the engineer should be present at the meeting. Mr. Clarke stated the commission cannot approve plans that are not presented, there are erosion issues and runoff into both the pond and the neighbor’s yard. Ms. Harling stated that she has been to the property several times and seen water running over the top of the silt socks. There are visible areas where the soil runs down the hill. The issues are not being properly addressed. Mr. Clarke stated that the

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water, if clear of debris, can go back into the pond. This is the serious issue that the commission has asked to be remedied. Solutions to this problem exist, but that is the job of the engineer, not the commission. Mr. Campbell asked that the engineer be present at the next meeting. Mr. Clarke stated that the Conservation Department will not allow an Occupancy Permit to be issued until this is rectified. Mr. Leaman stated that he will have the engineer draw up plans and be present at the next meeting. Mr. Clarke stated that the expectation for the next meeting is to have engineered plans presented showing how the raindrop at the top of the hill ends up in the pond in a clear, acceptable state. In the meantime, a temporary fix of silt socks is required on both sides of the home and exposed dirt must be protected from rainfall to limit the runoff down the slope. Mr. Verry stated that any new plans should also be submitted to the ZBA. He is also concerned with the pavement on the ROW will become compromised if the ground around it is not brought up to the proper level. Mr. Clarke stated that the homeowner and engineer must stay in touch with the office with any updates. Mr. Fellini made a motion to continue the discussion to the January 5, 2023 meeting, seconded by Mr. Madden. Motion passed unanimously.

Ongoing Business:

Master Plan Steering Committee

The office of the Planning Board is assembling a committee to assist in the process of creating a Master Plan for the town. The last plan was completed in 2004, and there is a 2-year commitment. It is not mandatory for a Conservation member to join as input from the board will be requested when needed.

A motion to end the meeting was made by Mr. Fellini at 8:16pm, seconded by Mr. Madden. Motion passed unanimously.

Materials and Exhibits

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