



**Pembroke Conservation Commission  
Minutes of the Meeting of  
April 6, 2023  
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.*

*Open Meeting Law, G.L.c. 30A § 22.*

All materials presented during this meeting are available in the Pembroke Conservation Commission office.

**Members present:** Arthur Egerton, Chair; Gino Fellini, member; James Campbell, member;  
Richard Madden, member; Teresa Harling, vice chair;  
**Not present:** Robert Clarke, Sr., member

At 7:00PM, Mr. Egerton, chair, opened the meeting and asked the members to introduce themselves, then stated that the proceedings would be made available to the public at future dates and that all comments made in open session would be recorded.

**ADMINISTRATIVE BUSINESS**

**Minutes** – March 2, 2023 – A motion to accept the minutes as written was made by Mr. Fellini and seconded by Mr. Campbell. Motion passed.

**Hearings:**

**Notice of Intent (NOI) - DEP #SE056-1092 – 0 & 74 Congress Street**

In attendance: Don McGill, Whatbarn LLC; Kevin Grady, Grady Consulting

This NOI is to construct 11 total residential units with driveway, grading, associated utilities; 10 new, 1 existing building to be renovated. ORAD was issued in the Fall, confirming the wetland delineation. The site is mostly developed; it has been used as a contractor yard. Each unit will be separate, with a driveway and garage. The buildings will be partially inside the buffer zone, two are outside. The site is previously developed and cleared. The closest building to the wetlands is 24.4-feet. The narrative includes the information regarding stormwater protection and impact to the wetland. The front of the property is higher than the rear. Stormwater regulations meet state standards and have been included in submittal. A small section of trees is proposed to be removed; the remainder of the property is previously cleared. Mr. Madden asked if fill would be brought in to grade, Mr. Grady said it would be required at the front where the septic is proposed. Mr. Fellini asked if a generator was proposed for the septic. Mr. Grady said that

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was not proposed and would be up to the HOA or management company if there was a storm that involved power outages. A dense landscaping plan is proposed with a significant amount of tree plantings proposed. Erosion controls of 12" silt sock will be installed for construction. A stockpile area is designated.

Ms. Moraski, 177 Taylor Street, asked if the stream was determined to be intermittent or perennial. She is concerned that the area at the rear of her property will flood. She believes this will have a negative impact on the area and is too large for the property.

Mr. Grady stated that the area was delineated, and a peer review was carried out and accepted by the Commission. All systems meet the state standards.

Mr. Fellini made a motion to continue the hearing until May 4, 2023 so that a site visit can be scheduled to address the abutter concerns regarding critical watershed areas, seconded by Mr. Madden. All in favor, motion passed unanimously.

### **Request for Determination of Applicability (RDA) – 34 Pine Circle**

In attendance: Frank and Sidney Kelly, homeowners, Joe Burke, contractor

This Request for Determination of Applicability is for the construction of a detached staircase leading to the pond. All proposed stairs and decking will be above grade, requiring less ground penetration. The closest footing will be steel bars rather than Sono tubes for minimal impact on the resource area. All cutting and construction will be done in the back yard, approximately 70-feet from the water's edge.

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

A motion to issue a -3 determination with the standard conditions was made by Mr. Fellini and seconded by Mr. Madden. Motion passed unanimously. Mr. Egerton stated that anyone aggrieved by this decision has the right to appeal within 10 business days.

### **Request for Determination of Applicability (RDA) – Learning Lane**

In attendance: Paul Dewsnap, Dewsnap Engineering

This Request for Determination of Applicability is for the installation of underground conduit for Comcast. Conduit begins at utility pole on Hobomock Street, 180-feet north of Learning Lane, along Learning Lane (in road layout) to the PHS parking lot. Six (6) 3'x3'x3' precast concrete manhole covers will be installed, 2 are within the BZ. The two area within the BZ are: near utility pole NG #3 – 626l.f. and 1 manhole cover; between utility pole NG#5 & 7 – 222l.f. and 1 manhole cover. The project is proposed to start after school is out for the year to avoid traffic issues with the schools and should be completed within one to two weeks. Straw wattles will be installed along the wetland areas.

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

A motion to issue a -3 determination with the standard conditions was made by Mr. Fellini and seconded by Mr. Madden. Motion passed unanimously. Mr. Egerton stated that anyone aggrieved by this decision has the right to appeal within 10 business days.

### **Abbreviated Notice of Resource Area Delineation – (ANRAD) – 51 & 55 Chapel Street**

In attendance: Kevin Grady, Grady Consulting

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This ANRAD is to delineate the wetlands on the properties. Five resource areas were identified, two are BVW, three are IVW. No DEP file number has been issued yet. Mr. Fellini noted that a peer review is typically ordered for this type of project. Mr. Grady agreed.

A motion to continue the hearing to May 4, 2023 pending the completion of a peer review was made by Mr. Fellini and seconded by Mr. Madden. All in favor, passed unanimously.

### **Request for Determination of Applicability (RDA) – 15 Furnace Lane**

In attendance: Michael and Annie Bucca, homeowners

This Request for Determination of Applicability is for an addition on the rear of the home. The addition will be on the pond side of the home, replacing the existing deck.

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

A motion to issue a -3 determination with the standard conditions was made by Mr. Fellini and seconded by Mr. Madden. Motion passed unanimously. Mr. Egerton stated that anyone aggrieved by this decision has the right to appeal within 10 business days.

### **Ongoing Business:**

**Open Space Committee update** – Ms. Moraski stated that the board is looking to continue with trail cleanings on a regular basis. A grant from Lowes has been received to build raised beds for the community garden. They will need to request money to install the kiosks at various properties, Lage, the high school, and JJ Shepherd. Mr. Egerton asked what the committee needs to proceed with projects. He mentioned that signs at Tubbs Meadow need to be fixed. Ms. Moraski suggested applying for CPC money for the signs.

There are no current meetings scheduled for the Open Space Committee.

### **Trail maintenance**

Mr. Campbell mentioned there is a lot of debris, including a couch, in Tubbs Meadow. The dumpster is back. There is a lot of graffiti throughout and a need for signs to be replaced. He would like this addressed. The current information board has nothing on it, should have a trail map or some sort of information. Ms. Harling said she will address this with the Open Space Committee as well to give them more direction. Mr. Campbell stated an Eagle Scout is interested in doing a foot walk project at the Lage Preserve.

A motion to end the meeting was made by Mr. Fellini at 8:25pm, seconded by Mr. Madden. Motion passed unanimously.

### **Materials and Exhibits**

Notice of Intent and accompanying documents – 0 & 74 Congress Street

Request for Determination of Applicability and accompanying documents – 34 Pine Circle

Request for Determination of Applicability and accompanying documents – Learning Lane

Abbreviated Notice of Resource Area Delineation and accompanying documents – 51 & 55 Chapel Street

Request for Determination of Applicability and accompanying documents – 15 Furnace Lane

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