

# Pembroke Conservation Commission

## Minutes of the Meeting of

### July 20, 2015

*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 Conservation Office.

*Open Meeting Law, G.L c. 30A § 22.*

Agenda – May include topics not reasonably anticipated by the Chair at time of posting of the meeting.

*Open Meeting Law, G.L c. 30A § 20.*

**Attending:** Al Gigliotti, acting chairperson; Robert Clarke; Scott Glauben; Carey Day; and Michael Kirby  
**Staff:** Bob Clarke, agent; and Mary Guiney, administrative agent  
**Location:** Town Hall, Room 13 (Advisory Room)  
**Opened:** 7:30 p.m.

#### **NOI – Route 14 Reconstruction Project – Fulmine (DEP file number: SE56-955)**

Attending: Rob Cahoon, Project Engineer, CHA  
Jay Hall, P.W.S, CHA  
Eugene Fulmine, Jr., applicant and DPW Director  
Richard Madden, 193 Mattakeesett Street  
Art Egerton, 413 Center Street

Project engineer Rob Cahoon submits an unstamped set of revised plans. John G. Morgan, P.E. is on vacation and Mr. Cahoon did not want to delay the review.

CHA's comments to the proposed Order of Conditions were also submitted to the commission. The commission acknowledges the submission and after discussion, decides to review and finalize the orders at another meeting after the review of the plans and any subsequent revisions is completed.

Mr. Cahoon provided an overview of the changes in the plans (most of which occur at the western side of the site) – starting at the Hanson Town Line – which include:

- The sediment forebay at Andruk Bog has been eliminated and the stormwater is now being directed to the abandoned bog.
- Added stone check dam at the ditch.
- Furnace Lane easement language allows for pipes to be installed; there is a 6 foot grade difference between the 2 manholes which puts the pipe too deep (at 7-8 feet below grade); as proposed, a perforated pipe will be installed to allow for recharge prior to an infiltration basin; CHA will need input from DPW for maintenance; (comments: Mr. Day states that the structure will be difficult to clean; Mr. Fulmine states he does not have any money for maintenance; and Mr. Clark states that it appears that the project will have a life expectancy of five years; Mr. Cahoon counters that the system will work if it is cleaned)

Mr. Day, on behalf of the commission, states that he sees the discharge into Furnace Pond as the last critical area for improvement. The roadway in this area handles the drainage from an industrial area as well as drainage from approximately one-half mile of roadway. There needs to be some sort of long term treatment as part of the plans. He is recommending the installation of a tank (no baffles with an eliminator- similar to a septic tank) at the intersection of Furnace Lane to clean the water (minimum tank size of 10,000 gallon capacity – 15,000 gallon preferred). Mr. Day has considered maintenance issues in his recommendation and this system should not create major maintenance issues for the DPW. Mr. Cahoon states that the device will be non-participatory and that the cost will have to be assumed by the Town of Pembroke (non-participatory items cannot use chapter 90 funds). Mr. Fulmine says that his department will cover the cost if there is only one.

Mr. Day also reviewed the revised plans and offered the following comments for discussion:

- The drainage and utility notes have been moved to another section. Mr. Day would like these notes (including STA numbers, invert and outlet elevations and direction of flow) back on the sheets to facilitate the review.
- The rip rap at all discharge points needs to be extended to a minimum of 10 feet to insure that all sand is covered. (Mr. Cahoon states that the standard is two feet wider than the diameter of the discharge point and 5 feet long.)
- The commission wants a statement verifying that all water that discharges outside the scope of the project will not adversely affect downgradient properties.
- Sheet 4 states that approximately 12 test pits were dug. He would like the plans to provide a legend of the soil types.
- ~STA 6+60: What is the stub that is attached to the 12" corrugated pipe? (provides overflow relief in area of Taylor Point Road) Do we need rip rap at the outlet pipe? (Mr. Cahoon says no as it has a concrete pad and headwall).
- Erosion controls are missing around Taylor Point Road.
- ~STA 14+10: Are the two headwalls to be abandoned and pipes plugged (yes)
- ~STA 12+00 (Mattakeesett Street): There is a catch basin to a series of leaching pits. Mr. Day recommends the removal of the leaching pits with the stormwater to flow from the catch basin to the manhole.
- ~STA 16+60: Where does the catch basin on the south side of the road flow? The 12" RCP depicts an arrow to the catchbasin on the north side of the roadway with a higher invert elevation. (CHA will correct the direction of the arrow).
- ~STA 17+10 and ~STA 17+55: Erosion controls are needed on the north side. Also erosion controls need to be installed around the culvert replacement and bank.
- ~STA 24+60: Recommends the removal of 2 leaching basins. These will clog and the DPW cannot maintain them.
- ~STA 25+00: Recommends the removal of 3 leaching basins. These will clog and the DPW cannot maintain them.
- Discharge point #6: The 12" corrugated pipe extends beyond the splash pad. (This pipe has been eliminated from the design).
- Discharge point #7: Rip rap at this point needs to be extended into the resource area to slow the velocity of the discharge.
- ~STA 20+00 to 29+50: Recommends the removal of 4 leaching basins. These will clog and the DPW cannot maintain them.
- Discharge point #8: Recommends the installation of rip rap (CHA will discuss with DPW as it is within the right of way).
- ~STA 32+00 (Lucky Dawg parking lot): This needs erosion controls (there may be an issue with the owner to provide permission) – perhaps to continue the erosion controls to the edge of the driveway
- ~STA 36+90 to 39+00: Erosion Control is needed for pond protection on the south where there is no driveways.
- ~STA 50+20: Recommends the removal of 4 leaching basins. These will clog and the DPW cannot maintain them.
- ~STA 54+10: Manhole with 24" reinforced concrete pipe – see prior discussion re: treatment for Furnace Pond.
- ~STA 77+40 (or 50): What is going on with the gutter and catch basin? (Mr. Cahoon states that there may be a leaching structure on private property not tied into the existing system).
- ~STA 126+60 and 127+10: Please increase the size of the splash pad and rip rap at both outlets.
- ~STA 128+40: Please add splash pad from drainage manhole into the grass swale. It is also recommended to add 10 feet of rip rap.

- ~STA 138 (Lage Property): It is recommended that the sedge pond is moved closer to the wetlands, or to extend the rip rap to dissipate flow. The right of way was also discussed as the town does not yet own this property.
- ~STA 146+60: The pipe running south from the manhole should be eliminated or maintained. (Mr. Cahoon responds that it will be maintained – it runs into the woods and the cannot find the exit – and they will not be adding a splash pad to the discharge).
- ~STA 150+10: Where does flow go? (Mr. Cahoon says it goes to the outlet at STA146+60)
- ~STA 158+40: The 12" reinforced concrete pipe is discharging beyond the project limits. Is it being tied into the Route 53 system?

Acting chairperson Al Gigliotti wants a target date for closing and a list of items needed to get to that point. The ensuing discussion revolved around the submittal of new plans. Mr. Cahoon says that he provide get revised plans by Thursday. Also discussed: plans for permitting purposes only (official plans are 200+ pages long) and differences between the construction plans and the permitting plans (the permitting plans will be incorporated into the construction documents); and the status of the Army Corp of Engineers permit and the DEP permits.

The commission thanked Mr. Cahoon for the work performed and the recent progress made within the past two weeks.

Motion to continue to July 27, 2015 at 7:30 p.m.: Bob Clarke  
 Second: Michael Kirby  
 All in favor.

#### **Discussion: Quorum**

The commission reviewed information provided by the selectboard office from Kopelman and Paige and stated that the conservation commission should not be receiving legal advice from Kopelman and Paige. The commission discussed Kopelman and Paige's role in the selectboards decision to fire former chairperson Mark Ames and their recent action not to reappoint Carey Day to the commission.

The commission also noted that during the meeting of the selectboard of July 6, 2015, they were informed that although legal counsel was not available to Mr. Ames as an individual, the commission could retain their own attorney by a vote.

Motion to retain independent counsel for the conservation commission: Scott Glauben  
 Second: Michael Kirby  
 All in favor.

#### **Discussion: Request for Certificate of Compliance (COC) for 43 Deerfield Circle (DEP file number: SE56-823)**

A request for COC was made by Greg Gibbs of Spectrum Homes, Inc. for an Order of Conditions (OOC) issued on March 21, 2006 for the construction of a single family house at this location. Agent Bob Clarke has inspected the site and recommends the issuance of a full COC.

Motion to issue COC: Bob Clarke  
 Second: Michael Kirby  
 All in favor

**Discussion: Request for Certificate of Compliance (COC) for 60 Canoe Club Lane (DEP file number: SE56-926)**

A request for COC was made by John J. Hannon, P.E. for an Order of Conditions (OOC) issued on March 26, 2013 for the construction of a dock at this location. Agent Bob Clarke has inspected the site and recommends the issuance of a full COC.

Motion to issue COC: Bob Clarke

Second: Michael Kirby

All in favor

**Discussion: Request for Use of Shack at Herring Run Park**

The conservation commission received a request from selectboard assistant Sabrina Chilcott to allow the Herring Fisheries Committee use of the shack at Herring Run Park. The Herring Fisheries Committee would like to search the structure for ‘screens’ needed to protect the herring run from plastic ducks used for duck races and the Herring Fisheries Committee also needed the space for storage. Mr. Richard Madden and Mr. Art Egerton, in attendance, stated that they were members of the Herring Fisheries Committee. Neither Mr. Madden nor Mr. Egerton were aware of any such request and were not aware that such screens existed. Furthermore, it was stated that the Herring Fisheries Committee recently acquired a trailer with Community Preservation Act funds for the purposes of storing equipment. To the best of their knowledge, there was plenty of space available in the trailer. A vote on the matter was tabled until further information was provided.

**Discussion: Request to Use Herring Run Park on July 23, 2015**

The selectboard office received a request for the use of Herring Run Park on July 23, 2015 at 10:30 for approximately 30 minutes for a memorial service. There would be approximately 25-30 people in attendance, a stand/spray of flowers would be on display and a bagpiper would perform. The service would not involve the scattering of ashes.

Motion to allow the use of Herring Run Park for a memorial service: Bob Clarke

Second: Michael Kirby

All in favor

**Discussion: High School Drainage Basin**

Design work is progressing. The DPW will be requesting funds for repair of the system at the fall town meeting.

**Documents Signed**

- COC for 43 Deerfield Circle (DEP file no.: SE56-823)
- COC for 60 Canoe Club Circle (DEP file no.: SE56-926)
- Order of Conditions for 230 Valley Street (DEP file no.: SE56-947)
- Special Employees Request for Re-appointment

**Adjournment**

A motion was made by Michael Kirby to adjourn the meeting at 9:55 p.m. Second by Carey Day. All in favor.