

Pembroke Conservation Commission

Minutes of the Meeting of

September 21, 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: Art Egerton, acting chairperson; Andrew Stevenson; Richard B. Madden; Bob Clarke; and Scott Glauben
Staff: Bob Clarke, agent; and Mary Guiney, administrative agent
Location: Town Hall, Room 13
Opened: 7:45 p.m.

Acting chairperson Art Egerton opens meeting and states “Please note that this meeting is being made available to the public through a live video and audio broadcast on Comcast Government Access channel 15 and is being recorded for broadcast at future dates. Comments made in open session will be recorded.”

Cont. NOI – 234 Valley Street, lot 26 – Delprete (DEP file no.: SE56-948)

Cont. NOI – 242 Valley Street, lot 27 – Delprete (DEP file no.: SE56-949)

Cont. NOI – 256 Valley Street, lot 29 – Brainfrank (DEP file no.: SE56-950)

The hearings are opened at 7:45 p.m.

Attending: Nigel Harling, 261 Valley Street (abutter)
Daniel Sullivan, 260 Valley Street (abutter)
Carolyn Cleary-Sullivan, 260 Valley Street (abutter)

Neither the applicant nor his representative are present. The conservation commission has not received any further information since the previous hearing held three weeks ago. Agent Bob Clarke feels that the commission should not take any action without checking with the applicant.

Motion to continue all three hearings until October 5, 2015 at 7:50 p.m.: Scott Glauben

Second: Richard Madden

All in favor.

RDA – 91 Phillips Road - Hoar

The hearing is opened at 7:55 p.m.

The applicant has requested a continuance of the hearing in order to perform a percolation test and design a septic system.

Motion to continue the hearing until October 5, 2015 at 7:40 p.m.: Richard Madden

Second: Andrew Stevenson

All in favor

Continued NOI – 43 Canoe Club Lane – Ambrose (DEP file number: SE56-956)

The hearing was opened at 7:55 p.m.

The applicant has requested a continuance in order to provide additional research and information to the Natural Heritage and Endangered Species Program.

Motion to continue hearing to September 28, 2015 at 7:40 p.m.: Bob Clarke

Second: Andrew Stevenson

All in favor

RDA – 5 Colonial Way - Giese

The hearing is opened at 8:00 p.m.

Attending: John Earner, Coastal Pools, Inc., on behalf of the applicant (not present)

The subject proposal involves the replacement of an existing above-ground pool with an in-ground pool, patio, pool shed, grading and landscaping at a distance of approximately 25 feet from the bordering vegetated wetland. The existing grade change in the work area is approximately 2 ½ feet which will be leveled. Erosion controls consisting of either: silt sock, having a diameter of 12 inches or greater; or hay bales with a wood chip seal on the upland side, will be installed prior to the commencement of work. Agent Bob Clarke will meet Mr. Earner on site prior to the installation of the erosion controls to direct their placement on site. Washout from the pool and cement truck will be directed away from the resource area.

Motion to close: Bob Clarke

Second: Scott Glauben

All in favor

Motion to issue a Negative 3 Determination with the following conditions: Bob Clarke

Washout of pool must be directed away from resource area. Erosion controls consisting of double staked haybales or silt sock having a diameter greater than 12 inches must be installed and installation approved by the conservation agent prior to the commencement of work. The use of silt fence is not allowed.

Second: Scott Glauben

All in favor

The Determination of Applicability has been prepared for signature to allow the applicant to pour concrete prior to the cold weather. The signed original and a copy was provided to Mr. Earner.

Discussion: Hydrilla in Silver Lake

Agent Bob Clarke reports that the Board of Health has had no response or interest in the complaint received last week regarding the presence of hydrilla in Silver Lake. The vegetation sample has been sent to the state for identification; however the Board of Health has not received a return telephone call or test results.

Mr. Clarke recounts the collaborative effort for the treatment of Hobomock Pond which was initiated with conservation funds before the cost was assumed by the town. He is disappointed that one seems to want to get involved in the latest infestation that involves 4 towns (Pembroke, Hanson, Kingston and Brockton Water). The early retirement incentive at state offices has reduced the number of employees and most of the experienced staff.

Discussion: 92 and 98 Birch Street (DEP file numbers: SE56-929 and SE56-930)

Agent Bob Clarke states that, at the request of the Selectboard, town counsel reviewed the commission's response to correspondence from the homeowners. The review took four weeks and the end result was similar to the original letter. A four week turnaround is unacceptable.

Discussion: Route 14 Reconstruction Project

Member and Assistant DPW Director Scott Glauben apprised the commission that the project went out to bid last Saturday. Agent Bob Clarke says the warrant for the annual town meeting includes articles to pick up the cost of the items that were not covered by MassDOT. Scott Glauben states that the DPW does not have the equipment or the money to purchase equipment needed for the participatory items. The items included on the warrant are not only beneficial to the town but very important for the protection of the town's natural resources.

Discussion: Mail Folder – Copy of License to Enter and Use Real Property (Kiwanis Building)

Agent Bob Clarke reports that the commission received a copy of a lease that was entered into and signed by Ed Thorne on behalf of the Selectboard. The Selectboard executed the lease in July without consultation with the conservation commission, the legal owners of the structure. Member and Assistant DPW Director Scott Glauben says that half of the building is used by the DPW for storage of the Memorial Day bandstand. Mr. Glauben states that while he was checking the area for Wild Parsnip last week he came upon the president of the Kiwanis who informed him that the DPW no longer had access to the building. Renovations to the building have already started. Agent Bob Clarke says that after he requested and received a copy of the lease last week, he approached Town Administrator Ed Thorne who assured him that the agreement allows the DPW access to the building. Mr. Clarke's interpretation of the lease did not read that way. Mr. Glauben has no issue with the Kiwanis. They are a great group, but they were to share the building with the DPW. Commission members voiced their disappointment with the failure of the Selectboard to communicate

Unscheduled Discussion: Sheppard Fields

Member Richard Madden has noticed that the trees on the downhill side of the Town Barn have developed a blight. Mr. Madden would like to remove the trees to make an arbor.

Member and Assistant DPW Director Scott Glauben says that the trees may be distressed from salt from last winter's weather. The trees will be inspected and monitored.

Documents Signed

- Determination of Applicability – 5 Colonial Way

Adjournment

A motion was made by Scott Glauben to adjourn the meeting at 8:50 p.m. Second by Andrew Stevenson. All in favor.