

**Pembroke Conservation Commission
Minutes of the Meeting of
October 17, 2016**



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: Rick Madden, vice-chairperson; Art Egerton (using audio and video recording devices); Sharon Tuells; Greg Walsh; and Bob Clarke
Absent: Andy Stevenson, chairperson
Staff: Bob Clarke, agent; and Mary Guiney, administrative agent
Location: Town Hall, Veteran's Hall
Opened: 7:30 p.m.

Vice-chairperson Rick Madden requests assistance to chair the meeting in the absence of chairperson Andy Stevenson. Member Art Egerton offers to chair meeting.

Acting Chairperson Art Egerton opens the meeting at 7:30 p.m.; reads the names of members in attendance; and states that the meeting is being recorded for Pembroke News for airing at a future date.

Discussion: Tax Abatement for 190 Barker Street

Acting Chairperson Art Egerton reads the prepared memorandum to the Board of Assessor's which states: "Please accept this memo as a request for an abatement of a portion of FY17 taxes for the property located at 190 Barker Street, as shown on Assessor's Map D10, lot 14, consisting of approximately 29.087 acres. This property was accepted by the Conservation Commission on July 25, 2016 and the deed was recorded at the Plymouth County Registry of Deeds on July 29, 2016, Book 47248, page 29"

Motion to issue request for abatement: Bob Clarke

Second: Scott Glauben

All in favor

Discussion: Copperwood Estates Haul Road Proposal

Agent Bob Clarke updates the commission on the status of negotiations for the use of the Birch Street conservation property for hauling fill from Mathias/Gumerus bogs to Copperwood Estates. Mr. Clarke states that the negotiations have progressed to a point, but has not been finalized. The trees on Copperwood have been removed and the project is awaiting fill. The recreation department has presented a plan for expansion of ball fields which has not been built due to the lack of funds. Mr. Clarke will continue to negotiate on behalf of the commission and will provide a status report at the next meeting.

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**Continued Abbreviated Notice of Resource Area Delineation (ANRAD) – 17
Marlymac Way – Beausoleil (DEP file no.: SE56-972)**

Hearing opened at 7:40 p.m.

The applicant has not provided payment for the peer review. A continuance has been requested.

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Motion to continue the hearing until October 24, 2016 at 7:50 p.m.: Rick Madden

Second: Sharon Tuells

All in favor

**Discussion: Request to Extend Order of Resource Area Delineation (ORAD) for
Center Street (DEP file no.: SE56-876)**

This is an ongoing DPW project.

Motion to extend ORAD for three years: Bob Clarke

Second: Sharon Tuells

Vote: 5-0-1 for-against-abstain (Member and Assistant DPW Director Scott Glauben abstains)

Discussion: Request to Extend ORAD for Hobomock Street (DEP file no.: SE56-877)

This is an ongoing DPW project.

Motion to extend ORAD for three years: Bob Clarke

Second: Sharon Tuells

Vote: 5-0-1 for-against-abstain (Member and Assistant DPW Director Scott Glauben abstains)

**Discussion: Request to Extend Order Of Conditions (OOC) for Hobomock Street
(DEP file no.: SE56-894)**

This is an ongoing DPW project.

Motion to extend ORAD for three years: Bob Clarke

Second: Sharon Tuells

Vote: 5-0-1 for-against-abstain (Member and Assistant DPW Director Scott Glauben abstains)

Discussion: Herbicide Use/Wild Parsnip

Acting Chairperson Art Egerton wants an explanation of the purchase of herbicides by member and Assistant DPW Director Scott Glauben. Mr. Glauben informs Mr. Egerton that the herbicides have not yet been used as he has been out injured for two months. The herbicides were purchased for the treatment of Wild Parsnip once they had been removed from the right of way on Route 14. Mr. Egerton thinks that the herbicides are pretty harsh and does not think that they should be used. Agent Bob Clarke states that he has performed his own research on the herbicides: they are readily available for purchase over-the-counter; and according to the Material Safety Data Sheets (MSDS), should not be dangerous if applied according to direction. Mr. Clarke also discusses attempts by the Selectboard to rent goats – none were available.

Mr. Glauben further states that the herbicides will not be used this year. The Route 14 contractor will remove the Wild Parsnip from the right of way in the spring and cover it with a tarp at the Monroe Street lot. The 'tarping' of the plants may be effective in exterminating them.

The commission discussed security in the area of Herring Run Park, especially the use of the area by Kiwanis to sell Christmas trees.

Continued ANRAD – Off High Street and Forest Street – Brainfrank (DEP file no.: SE56-971)

Hearing opened at 7:50 p.m.

The applicant has provided payment for the peer review. A continuance has been requested to allow the peer review consultant to perform the review of the wetland line.

Motion to continue the hearing until November 7, 2016 at 8:00 p.m.: Rick Madden

Second: Sharon Tuells

All in favor

Discussion: Request to Use Herring Run Park by Boy Scout Pack 105 for an outdoor pack meeting with use of fire grill

Motion to allow the use of Herring Run Park by Boy Scout Pack 105 on Sunday, October 23, 2016 from 2:00 p.m. to 4:00 p.m. with the condition that a burning permit for a fire be issued by the fire department: Scott Glauben

Second: Rick Madden

All in favor

Unscheduled Discussion: Maintenance at Herring Run Park

Agent Bob Clarke has received a list of items that need immediate attention at Herring Run Park including, but not limited to: repair of window in the superintendents shack; cleaning mold from the roof and sealing same; cleaning and painting the superintendent's shack; repair of the bridge; and repair of the flagpole.

Agent Bob Clarke informs the commission that, in the past, the DPW was available to perform the work, but this is not currently an option. The commission will need to get someone to do the work. Member Rick Madden offers to do the work on the superintendent's shack. He would also like to clean out the interior of the shack.

Member and Assistant DPW Director Scott Glauben will perform an assessment of the remaining work with Mr. Clarke.

Request for Determination of Applicability (RDA) – 15 Blackbird Drive - Bradley

Hearing opened at 8:00 p.m.

Presenting: John Earner, Coastal Pools on behalf of applicant (not present)

The subject proposal involves the installation of an inground pool on an existing lawn within the bufferzone of a bordering vegetated wetland (b.v.w.). The pool will have a cartridge filter system and there will be no transport of materials towards the b.v.w.

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The commission reviews the submitted plans. The existing site structure has a walk out basement and the lot is level from that point to the proposed erosion control line. The project will involve the removal of approximately three (3) pine trees in the vicinity of the shed. Agent Bob Clarke has inspected the site and recommends the removal of the trees.

Motion to close: Bob Clarke

Second: Scott Glauben

All in favor

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

- 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.
- This Determination does not allow the discharge of pool water towards the resource area.

Second: Scot Glauben

All in favor

Discussion: Holiday Meeting Schedule

October 31, 2016: The commission is scheduled to meet on October 31, 2016. Agent Bob Clarke explains that the commission does not usually meet that night due to the number of pedestrians on the roadway. No meetings are currently scheduled for this night.

Motion to cancel meeting scheduled for October 31, 2016: Bob Clarke

Second: Sharon Tuells

All in favor

December 26, 2016: The commission is scheduled to meet on December 26, 2016.

Agent Bob Clarke explains that the commission does not usually meet during Christmas week.

Motion to cancel meeting scheduled for December 26, 2016: Bob Clarke

Second: Sharon Tuells

All in favor

Discussion: Mattakeesett Ball Fields

Members Greg Walsh and Rick Madden have been working together to create a plan.

Member Rick Madden likes the idea of larger trees.

Unscheduled Discussion: Volunteer work at Tubbs' Meadow

Agent Bob Clarke informs the commission that he was approached by a volunteer requesting permission to repair/replace the planks in the flume at Tubbs' Meadow. The boards had rotted and were replaced by good material while the water levels were low. He is recommending a thank-you letter from the commission.

Notice of Intent (NOI) – 28 Highland Drive – Salas (DEP file no.: SE56-974)

Hearing opened at 8:10 p.m.

Attending: Rick Grady, Grady Consulting, LLC, representing applicant
Steve Salas, homeowner and applicant

Rick Grady submits green cards as proof of abutter notification.

The subject proposal consists of the installation of an inground pool; replacement of the septic system in accordance with Title V; and removal of tree stumps. All work will occur within the existing chain link fenced yard. Member Rick Madden is concerned that the corner of the proposed pool will be located within the area of the old leaching field. Agent Bob Clarke explains that this is a Board of Health issue and would like a note sent to Health Agent Lisa Cullity informing her of the commission's concerns.

Motion to close: Bob Clarke

Second: Scott Glauben

All in favor

Motion to issue a standard order of conditions with added special conditions which state:

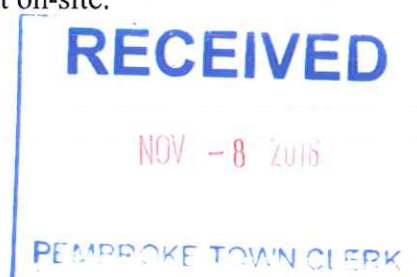
- "Subject to Board of Health approval.
- A portion of the existing leaching field is located proximate to the proposed swimming pool. The existing leaching field effluent must be stabilized in accordance with Board of Health Regulations. No backwash of pool filter is allowed. Cleaning of cartridge filter must be done outside of the bufferzone.
- Drawdown of the pool water must be released outside of the bufferzone, unless otherwise approved by the commission.
- No fill shall be stored within 100 feet of the wetland resource areas. All excavated materials must be loaded onto trucks and removed from the site unless otherwise approved by the commission." Rick Madden

Second: Sharon Tuells

All in favor

Unscheduled Discussion: 41-49 Cross Street (DEP file no.: SE56-963)

Member Rick Madden recently walked the site. Work has begun on the project. He is concerned that area may not have been delineated correctly. The commission has required that a wetland monitor be present on-site.



Unscheduled Discussion: Route 14 Project

A commission member inquires about tires and other debris near the rotary. Member Scott Glauben states that the contractor pulled tires out of the stream and they need to remove them. Member Rick Madden suggests fencing to stop illicit dumping.

Reminder: Upcoming Events

- Open Meeting Law training
- Special Town Meeting

Documents signed:

- Agent payroll
- Request for Abatement, MGLc. 59, s.72A to Board of Assessors re 190 Barker Street
- NSRWA Membership renewal
- ORAD Ext.: Center St (DEP file no: SE56-876); Hobomock St (DEP file no: SE56-877)
- Extension Permit for OOC for Hobomock Street (DEP file no.: SE56-894)
- Vouchers re: administrative agent hours
- Order of Conditions re: 28 Highland Drive (DEP file no.: SE56-974)
- Determination of Applicability re: 15 Blackbird Drive
- Payment voucher re: Assessor's Maps 2017

Adjournment

A motion was made by Rick Madden to adjourn the meeting at 8:35 p.m. Second by Greg Walsh. All in favor

