

**Pembroke Conservation Commission
Minutes of the Meeting of
May 4, 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:** Mark Ames, chairperson; Carey Day, vice-chairperson; Robert Clarke; Michael Kirby; and Al Gigliotti
- Absent:** Scott Glauben; and Dan Smith
- Staff:** Bob Clarke, agent; and Mary Guiney, administrative agent
- Location:** Town Hall, Second Floor, Room 13
- Opened:** 7:35 p.m.

Minutes: March 30, 2015

Pass over.

Cont. NOI – 105 Furnace Lane – Shkuratov (DEP file no.: SE56-953

Presenting: Shane McGlone, McGlone Enterprises

Mr. McGlone submits green cards and requests that he be named as the applicant as Mr. and Mrs. Yuri Shkuratov have withdrawn their offer to purchase the property. Mr. McGlone wants it noted for the record that he also filed a NOI in 2002 (expired) when the former dwelling was destroyed in a fire. The barn from the former dwelling remains on site. The subject proposal has received board of health approval and will be connecting to town water. The site consists of a conforming lot and will be improved with a 3 bedroom 2,500 square foot single story house. The limit of work will be 50 feet from the edge of Furnace Pond. Silt sock with a diameter of 12 inches or greater is proposed for erosion control. The submitted plans indicate an ‘existing house’ on site. Mr. McGlone explains that denotes the location of the burned structure. Currently there are no plans to alter the building slab.

Motion to close: Bob Clarke
Second: Michael Kirby
All in favor.

Motion to issue an Order of Conditions with the following special conditions: Bob Clarke
1) Standard Contions for the construction of a new house; and
2) The Order will not allow the removal/alteration of the cement slab labeled as “Existing House” on the submitted plan without prior review and approval of the conservation commision.

Second: Michael Kirby
All in favor.

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Notice of Intent (NOI) – 0 Crescent Street – Warren (DEP file no.: SE56-954)

Attending: Peter Lyons, EIT and soil evaluator, Collins Engineering; representing applicant
(not present)

The project was previously presented and reviewed by the conservation commission on April 13, 2015. The hearing was continued for receipt of a determination from the Natural Heritage and Endangered Species Program (NHESP) which has since been issued. Mr. Lyons provides the commission with updated plans which include the removal of the existing house from the site and the installation of conservation posts at the edge of the resource area.

Motion to close: Bob Clarke

Second: Carey Day

All in favor

Motion to issue a standard order of conditions for new construction (i.e. fertilizer restrictions, erosion controls, etc.) with the following special conditions: Bob Clark

- 1.) The applicant needs to provide copies of all other permits from other boards, including the Town of Halifax;
- 2.) The applicant needs to provide information on the access easements over paper streets.

Second: Al Gigliotti

All in favor.

Discussion and Enforcement Action – 64 Blueberry Lane - Baker

Present: Fred Baker, owner

Mike Sawyer, construction company owner

Agent Bob Clarke, in conjunction with Board of Health Agent, Lisa Clarke, investigated a complaint of land clearing on this site. As a result of the investigation, an Enforcement Order was issued to the owner/contractor for unauthorized land clearing and alterations within the bufferzone of Stetson Pond and a bordering vegetated wetland (b.v.w.). Owner Fred Baker submits photographs of the site for the commission's review. His family has lived on the site for more than 60 years and they have never had any wetland issues. Contractor Mike Sawyer explained that although he has been in business for more than 8 years and has completed a license course for contractors, he has not performed any work near wetlands. He was hired to build walls and stairs to a dock area and since he did not need a building permit he did not realize that he needed prior approval from the conservation commission. The commission discussed: the need to stabilize the site, especially the embankment to the waterfront; excavation of the slope has jeopardized the root system of four (4) large pine trees; and the stability of the house foundation. After discussion the commission proposed the following:

- 1) Immediate installation of erosion controls for the stabilization of the embankment and site. Mr. Sawyer and Agent Bob Clarke will be on the site in the morning to oversee the installation of the haybales;
- 2) Hanson Tree will be inspecting the trees for removal. Agent Bob Clarke will attest to the need for immediate removal for safety reasons;
- 3) Issuance of a fine in the amount of \$300.00; and
- 4) Filing of a Request for Determination of Applicability to complete the construction of the stairs and deck. The filing is to be submitted within the week.

Motion to accept the proposal as stated above, issue a fine and ratify the Enforcement Order: Bob Clarke

Second: Al Gigliotti

All in favor

Discussion: Open Space Committee (OSP)

Attending: Denise Moraski and Mike McDonough

Ms. Moraski and Mr. McDonough provide an overview of the status of the Open Space Plan and the workings of the committee. Chairperson Greg Howell is currently out of state and the OSC finds it is difficult to hold any meetings due to disparate work schedules. Other items discussed: signs; an OSC logo; gate installation at the ballfields; CR restrictions; and the need to have access to legal advice.

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Discussion: INT Wakeboard Event at Town Landing, June 26th (for setup at 4:30 p.m.) to June 27th (7:30 a.m. to late afternoon)

Motion to allow the use of Town Landing for the INT Wakeboard Event with the same conditions as last years' event and subject to approval from the other town boards: Bob Clarke

Second: Al Gigliotti

All in favor.

Discussion: Boy Scout Troop 105 Request to Use Herring Run Park on Saturday, June 13, 2015 from noon to 5:00 p.m. for ceremony and cookout

Motion to allow the use of Herring Run Park for the ceremony subject to permission from the Fire Chief for the use a cook fire on the premises: Bob Clarke

Second: Al Gigliotti

All in favor.

Discussion: ZBA Variance for 15 Forest Street

The conservation commission has been asked to provide a recommendation to the Zoning Board of Appeals on an application for variance of the 150 foot circle requirements for a Form A lot.

Motion to send a letter of recommendation to allow the waiver of the 150 foot circle with the caveat that it does not relieve the landowner/applicant from complying with all wetland regulations and bylaws for future development of the lot: Bob Clarke

Second: Al Gigliotti

All in favor.

Discussion: Zaniboni Bog Tax Abatement

Agent Bob Clarke reports that the former owner is still receiving tax bills for the entire parcel of land although the transfer occurred during the second quarter of the fiscal year. The commission reviewed the prepared letter and put the discussion over to check it for accuracy prior to a vote.

Discussion: Route 14 Reconstruction Project

The commission reviewed letter to the selectboard providing an overview of the status of the project.

Motion to send letter: Carey Day

Second: Bob Clarke

All in favor

The commission also discusses the merits of providing a weekly update to the selectboard on the status of this project.

Discussion: Conservation Restriction (CR) for Andruk Bog

Town counsel is scheduled to present the document to the Community Preservation Committee next week. As this property is under the care and protection of the conservation commission, they are requesting an opportunity to review and comment on the CR prepared for this property. The conservation commission is requesting that town counsel attend the next meeting to discuss this.

Discussion: High School Drainage Basin

No updates to report.

Discussion: Mail folder

24 Old Washington Street: Agent Bob Clarke and member Scott Glauben has met with engineer David Crispen on site to discuss flooding. Mr. Crispen was proposing to link the stormwater into the storm system. He was told it would not be allowed. Mr. Crispen is now proposing to grade the site towards the storm system

Documents signed:

- Ratify Enforcement Order – 64 Blueberry Lane
- Determination of Applicability – 6 Park Street
- Agent payroll

Adjournment

A motion was made by Al Gigliotti to adjourn the meeting at 10:15 p.m. Second by Carey Day. All in favor.