

**CONSERVATION
COMMISSION**
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Robert Materne, Chairman
David Evans, Vice Chair
Thomas Nicholson
Krisna Prachanronarong
Stephen Choquette
Matthew Habershaw
Matt Kershaw
William Morgan, Assoc. Mbr
Daniel Roach, Agent

REHOBOTH CONSERVATION COMMISSION
Meeting Minutes – January 25, 2022

Present: Robert Materne, Chairman, Dave Evans, Krisna Prachanronarong, Stephen Choquette, Matt Kershaw, Associate Member William Morgan, Daniel Roach Conservation Agent.

Absent: Thomas Nicholson, Matt Habershaw.

CALL TO ORDER

Mr. Materne called the meeting to order at 7:02 PM.

Mr. Materne explained the appeal process for any decision that the commission make with regards to permits.

Public Hearing and Meetings

1. Rego – 30 Steber Way – Amended OOC – SE60-1218

Mr. Peter Lavoie of Landmark Site Design was present.

Mr. Adam Rego owner of the property was present.

Mr. Materne stated that the commission did not visit the site because this plan is so different from the original filing, we thought this was a new filing and we require 2' X 3' plans.

Mr. Lavoie presented amended plans; the wetland line had been reflagged.

Mr. Materne stated he would recommend a larger replication area. We like people to do a 1:1.5 ratio of replacement. You'll have a better chance of the 75% success rate required for a COC.

Mr. Evans asked if the second page of the plans have a planting plan?

Mr. Lavoie stated it does.

Mr. Evans asked if the replication area will be planted in kind?

Mr. Lavoie stated yes.

Mr. Evans asked if utilities were shown?

Mr. Lavoie stated they are not.

Mr. Materne stated they need to be on the plan. Your cross section, the driveway is the same length the entire way, no changes?

Mr. Lavoie stated there are no changes.

Mr. Materne asked how many equalizing pipes?

Mr. Lavoie stated three.

Mr. Materne stated that the commission will go out to the site at the next site walk and verify the wetland line. Spoke in regards to the vernal pools flagged on the plan; until they are certified they are not protected.

Mr. Roach stated that on the plans there needs be a place where the material removed from the wetland would be stocked piled to be used for the replication area, if it is suitable.

Mr. Lavoie stated he would add it to the plan.

Mr. Materne stated that the haybales for the replication area need to be on the wetland line.

Mr. Prachanronarong asked if there were any calculations done for the amount of water that will be crossing under the driveway at the wetland crossing?

Mr. Lavoie stated he did not.

Mr. Prachanronarong stated it should be done to make sure that the equalizer pipes are the correct size.

Mr. Lavoie stated he would do that.

Mr. Materne stated the commission needs to know where the limit of work is. The conservation signs need to be on the other side of the replication area.

Mr. Lavoie requested a continuance until February 12, 2022.

Mr. Evans made a motion to grant a continuance until February 12, 2022.

Mr. Prachanronarong seconded the motion. Motion passes.

2. Morrissey – 72 Martin Street – ANRAD – SE60-1275

Mr. Hugh Webb of EcoSystem Solutions was present.

Mr. Materne stated that the commission did not go out to the site because of the complexity of the disturbance. We feel this should go to an outside consultant for review.

Mr. Webb presented plans.

Mr. Materne asked if the disturbed area flag line, HW lines, with the original flagging? How does the HW line compare to the original flag line?

Mr. Webb stated that the original flag line is denoted on the plan.

Mr. Materne stated that is not the original line. They altered the line in 2009, the line you are showing in the new line from 2009.

Mr. Roach stated that it is shown on the plan and pointed it out.

Mr. Materne asked if the HW line mirrored the original delineation? He wanted the original line surveyed and then the rest to be flagged to show what had been disturbed.

Mr. Evans stated HW1 is set off the property line, the original wetland line how does that line up with the property line?

Mr. Webb wasn't sure.

Mr. Evans stated the commission needs to know that answer to that. Explained what the outside consultant would be verifying.

Mr. Evans asked where the existing septic system was?

Mr. Webb stated it is in the front of the property.

Mr. Evans made a motion to send the ANRAD to Caputo & Wick for outside review.

Mr. Prachanronarong seconded the motion. Motion passes.

3. Daniels – 128 Peck Street – Amended OOC – SE60-1241

Mr. Kershaw recused himself.

Mr. Mark Mariano of Oakhill Engineering was present.

Mr. Mariano presented amended plans, NESPH no longer considers this property in an area of concern.

Mr. Materne stated that the wetland line is marked as erosion control.

Mr. Mariano stated that will be updated.

Mr. Materne asked the commission if there were any questions or concerns?

Mr. Evans stated to make sure there are notes on the plan for how they are going to discharge the pool.

Mr. Materne asked how are they going to discharge the pool?

Mr. Mariano stated they are going to be using a cartridge filter. There is no backwash this way. If they were to drain the pool, they would dechlorinate through time delay or sodium disulfate.
Mr. Materne stated that will be part of the orders and a note on the plan.
Mr. Evans made a motion to close the public hearing.
Mr. Prachanronarong seconded the motion. Motion passes.
Mr. Evans made a motion to issue amended Order of Conditions with the special conditions discussed.
Mr. Prachanronarong seconded the motion. Motion passes.

Violations

1. Foley – 55 Old Fall River Rd. – Enforcement Order

Mr. Ken Foley was present on behalf of his sons, owners of the property.
Mr. Materne stated the commission had gone out to the site. It was flagged according to the plan by a surveyor as requested by the commission. The Seekonk side, the stream was looked at there is vegetation growing in it but there is no noticeable scouring. We can't determine if it is an intermittent stream or not. His opinion is that it is an intermittent stream. In that case we are not going to deal with the riparian zone on the Seekonk line just the 100' buffer zone. The issue side of the property is the Almeida side. There is a pile of dirt the length of that side and between 4'-8' tall. The wetland line is the bottom of the pile. A gravel berm needs to be constructed to protect the wetlands. The dirt needs to be pulled back.
Mr. Evans asked how far back from the wetland line should the dirt be moved?
Mr. Materne stated at least to the large pile that is on the property.
Mr. Foley asked how high should the berm be?
Mr. Materne stated about a foot. Do the same thing on the back of the property. In the back there is also a pile of dirt that is in the wetlands. It has to come out. When you dig the dirt out you need to dig it down to the wetland soil.
Mr. Foley stated ok.
Mr. Materne asked the commission if there should be wetland signs on the edge?
Mr. Evans stated the berm should be 10' off the wetland line.
Mr. Materne asked the commission if they want erosion control put down along the wetland edge, until everything is stabilized?
Mr. Foley agreed. Asked about a timeframe?
Mr. Materne stated it needs to be put off moving the piles until the growing season, April.
Mr. Foley stated that he would notify Mr. Roach before they do any work.

General Business

1. Ruhan Construction – 134 Agricultural Ave. – SE60-1177 – Request for COC

Mr. Roach stated that everything had been done according to the plan. Recommended issuing the COC.
Mr. Evans made a motion to issue the Certificate of Compliance.
Mr. Prachanronarong seconded the motion. Motion passes.

2. Hazelton Golf Course – 327 Summer St. – SE60-1095 – Request for 3yr. Extension

Mr. Roach stated that all documentation had been submitted prior to the 30-day expiration date.
Mr. Materne asked what work was left to complete?
Mr. Roach stated they submitted to keep the wetland line approved.
Mr. Evans made a motion to grant the 3-year extension.
Mr. Prachanronarong seconded the motion. Motion passes.

3. Mason St. – Coming out of Chapter 61A - Discussion

Mr. Materne stated that most of the property on this lot is located in Swansea, it's commercial property. There isn't much that the town could do with the property.
Mr. Evans made a motion to waive the right of first refusal.

Mr. Prachanronarong seconded the motion. Motion passes.

4. Conservation Commissioners Updates

• Fines & Transfer of property

Mr. Materne stated that we need to make sure that these are completed to be placed on the town warrant for town meeting, in time.

5. Agent Update

There were no updates.

Concerns & Complaints

1. Rehoboth Village Cemetery – Concern

Mr. Materne stated that the commission had visited the site. Right now, they are not in violation. They are making more room for plots. There is a bog on the lefthand side of the property. They will need to file before they can do any work within 100' of the bog.

2. 545 Winthrop St. – Concern

Mr. Materne stated this may be a violation. There are junk cars in the back, that have been there for a long time. They are within 50' of the wetland. He went to the property with the Board of Health Agent, Karl Drown. The other issue is that the fence company is using this as a dumping ground. The logging company had large piles of logs. We had them put up a fence in the past. The logs are now within 6" of the fence. This may cause siltation to go into the wetlands.

Mr. Evans stated that the fence was set back from the wetlands.

Mr. Materne stated that the commission needs to visit the site.

Violations

3. Rego – 23 Winthrop St – Enforcement Order

There was no update.

4. Alves – 29 County St – Enforcement Order

There was no update.

5. Cordeiro – 97 Salisbury St – Enforcement Order

There was no update.

6. Morrissey – 72 Martin St. – Enforcement Order

There was no update.

7. Dias – 35 Starr Ln. – Enforcement Order

8. 172 Summer Street - Violation

There was no update.

9. 582 Winthrop St. – Enforcement Order

There was no update.

Minutes

1. April 13, 2021 – Review/Edits/Vote

Were tabled until a future meeting.

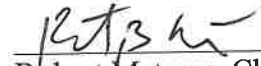
ADJOURNMENT

Mr. Evans made a motion to adjourn the meeting.

Mr. Prachanronarong seconded the motion. Motion passes.

Meeting adjourned at 7:55 pm.

For the Conservation Commission


Robert Materne, Chairman

David Evans, Vice-Chairman