

**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 – October 19, 2021

Present: Robert Materne, Chairman, Dave Evans, Thomas Nicholson, Matt Habershaw Matt Kershaw, Associate Member William Morgan, Stacy Vilao, Office Administrator.

Absent: Krisna Prachanronarong, Stephen Choquette, Daniel Roach Conservation Agent

CALL TO ORDER

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

Public Hearing and Meetings

1. Sureka – 483 Tremont St. – NOI – SE60-1269

Mr. Materne stated that the commission did not go out to the site. There is no perennial stream marked on the plan. The septic system is going to require a variance from the Board of Health.

Mr. Greg Drake of Outback Engineering was present.

Mr. Drake stated that when he marked the flags in the field, he could not locate the stream.

Mr. Materne stated the commission will go back out to the stie on November 7, 2021.

Mr. Drake presented plans.

Mr. Drake requested a continuance until November 9, 2021.

Mr. Evans made a motion to grant a continuance until November 9, 2021.

Mr. Nicholson seconded the motion. Motion passes.

2. Howe – 9 O'Hern Way – NOI – SE60-XXXX

Mr. Chris Andrade of InSite Engineering was present.

Mr. Andrade presented plans.

Mr. Materne asked the commission if there were any questions or concerns, there were none.

Mr. Materne stated that when the subdivision was approved the right of way was to be cleared and permanently marked.

Mr. Andrade stated ok.

Mr. Ryan DuVally owner of the property was present.

Mr. DuVally asked that the rear portion of the lot cuts through the wetlands, I'm not clearing that?

Mr. Evans stated it could still be marked.

Mr. DuVally stated he would still mark it.

This was discussed further.

Mr. Materne asked the audience if there were any questions or concerns, there were none.

Mr. Evans made a motion to close the public hearing.
Mr. Habershaw seconded the motion. Motion passes.
Mr. Evans made a motion to issue Order of Conditions with the understanding that an Authorization to Proceed will not be issued until the right of way is cleared and marked.
Mr. Habershaw seconded the motion. Motion passes.

3. MacKenzie – 174 Perryville Rd. – NOI – XXXX

Mr. Chris Andrade of InSite Engineering was present.

Mr. Andrade presented plans.

Mr. Materne stated the following issues.

- This is a change of use – 35% taking, shouldn't be allowed more than 10%
- Created your own hardship by subdividing the lot
- No alternative analysis
- No NESHP report

Mr. Ryan DuVally owner of the property was present.

Mr. DuVally stated that this was previously a gravel parking area. Historically he was under the impression that the stream would dry up.

Mr. Materne stated that until it is approved as an intermittent stream it's considered a perennial stream.

Mr. Morgan asked that the gravel area be added to the plan.

Mr. DuVally stated that it will be a decrease in impervious surface.

Ms. Cathy Tattrie of 177 Perryville Rd. was present.

Ms. Tattrie asked if the well water would come from the stream?

Mr. Andrade stated that the well is existing.

Mr. Materne stated that there are no regulations for wells, other than the ones that exist for the Board of Health.

Ms. Tattrie asked what do we do if the stream dries up? It's going to affect my property.

Mr. Andrade stated that this property should not have an impact on the stream drying up.

Ms. Tattrie asked what are her rights? She wants her property protected.

Mr. Materne stated that the commission can only discuss this project. Discussed the Riverfront Act. We cannot prevent them from developing.

Mr. Evans asked what type of well she had?

Ms. Tattrie stated a point well.

Mr. Evans stated with respect to the wetlands, you have a whole system that is contiguous and it connects to the west Palmer?

Ms. Tattrie stated it connects to the west Palmer and Wolf Plain Brook

Mr. Evans stated he can't see how them building on this lot is going to affect your wetland system.

Mr. Materne asked if the audience had any questions, there were none.

Mr. Andrade requested a continuance until November 9, 2021.

Mr. Evans made a motion to grant a continuance until November 9, 2021.

Mr. Habershaw seconded the motion. Motion passes.

General Business

1. Foeri – 56 Providence St. – SE60-315 – Request for COC

Ms. Vilao stated this has a superseding Order of Conditions from DEP. The applicant has to received their Certificate of Compliance from DEP. This was explained to the applicant this morning.

2. Conservation Commissioners Updates

Mr. Materne stated that the Walter Munroe Conservation Area is going to have a conservation restriction on it. Wild Lands Trust is going to hold it.

Mr. Materne spoke in regards to warrant articles for town owned land to the conservation Commission.

3. Agent Update

Ms. Vilao stated what Authorization to Proceeds that had been issued since the last meeting.

Concerns & Complaints

1. 582 Winthrop St. - Concern

Mr. Materne asked were we supposed to go out there during site walks?

Ms. Vilao stated that Mr. Roach had called the property owner. The owner didn't call him back to let the office know if the work was completed or not. We didn't put it on the stie walk list.

Violations

1. Rego – 23 Winthrop St – Enforcement Order

Ms. Vilao stated that a certified letter was sent to the property owner

2. Alves – 29 County St – Enforcement Order

Ms. Vilao stated the office has not heard for the property owner.

3. Cordeiro – 97 Salisbury St – Enforcement Order

Ms. Vilao stated the office has not heard for the property owner.

4. Morrissey – 72 Martin St. – Enforcement Order

Ms. Vilao stated that we haven't heard back from Mr. Faneuf.

5. Dias – 35 Starr Ln. – Enforcement Order

Mr. Materne stated that he had spoken to Mr. Choquette today. The erosion control is in place, it's been hydroseeded, nothing is stabilized yet. Mr. Choquete's recommendation is that we do not lift the Enforcement Order.

6. 172 Summer Street - Violation

Mr. Materne stated that he is working on the report for the selectmen to sign for them to give the report to DEP.

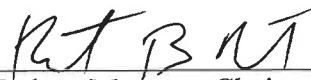
ADJOURNMENT

Mr. Evans made a motion to adjourn the meeting.

Mr. Nicholson seconded the motion. Motion passes.

Meeting adjourned at 8:24 pm.

For the Conservation Commission


Robert Materne, Chairman

David Evans, Vice-Chairman