

**CONSERVATION
COMMISSION**
340 Anawan Street
Rehoboth, MA 02769
(508) 252-6891 Telephone
(508) 252-5342 Facsimile



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 – November 9, 2021

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

Absent: Dave Evans, Matt Habershaw.

CALL TO ORDER

Mr. Materne called the meeting to order at 7:05 PM.

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

Public Hearing and Meetings

1. Feeley – 135 School St. – NOI – SE60-1267

Mr. Bryan Costa of Oakhill Engineering was present.

Mr. Costa presented revised plans.

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

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

Mr. Nicholson made a motion to close the public hearing.

Mr. Choquette seconded the motion. Motion passes.

Mr. Nicholson made a motion to issue Order of Conditions.

Mr. Choquette seconded the motion. Motion passes.

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

Mr. Greg Drake of Outback Engineering was present.

Mr. Drake presented plans.

Mr. Materne stated we did go to the site and verified the wetland line. It is accurate as depicted on the plan. We did find the stream. One of the things about the stream, about 50' from the culvert, it fans out. You'll need to put the stream on the plan. If any future work is done it has to be known that there is a perennial stream there. Because this is a septic repair and the difficulty of determining the Mean Annual High-Water line, we decided we are not going to verify that. It won't have an impact on your septic system. We are also going to require a simple alternative analysis. Asked the commission if there were any comments or concerns?

Mr. Morgan asked do we need a revised plan?

RECEIVED
22 DEC -7 PM 3:25
OFFICE OF THE TOWN CLERK
REHOBOTH, MA

Mr. Materne stated yes. We will not issue an Authorization to Proceed until revised plans and the alternative analysis have been provided to the office.

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

Mr. Materne stated that there is a lot of trash there. Normally if it's going to have any impact on the wetlands, we want it cleaned up.

Mr. Morgan stated that the commission will need to know how the trash is going to be removed.

Mr. Nicholson stated to remove it but minimize the impact to the wetlands.

Mr. Choquette stated that to remove the shed use the claws of the excavator and put it in a dumpster.

Mr. Nicholson made a motion to close the public hearing.

Mr. Choquette seconded the motion. Motion passes.

Mr. Nicholson made a motion to issue Order of Conditions with the special conditions that any work done is done in a manner to minimize impact to the resource areas. We did not verify the Mean Annual High-Water line.

Mr. Nicholson made a motion to close the public hearing.

Mr. Choquette seconded the motion. Motion passes.

Mr. Nicholson made a motion to issue Orders of Conditions.

Mr. Choquette seconded the motion. Motion passes.

3. MacKenzie – 174 Perryville Rd. – NOI – 1271

Mr. Rob Davis of InSite Engineering was present.

Mr. Davis presented revised plans.

Mr. Materne stated that the taking is at 30%. He felt that it is still too much, in regards to the riverfront and its protection. He still feels that this property is creating its own hardship when the property was subdivided. The plans could be reconfigured so that there is less of an impact to the riparian zone. Asked the commission how they felt about the project?

Mr. Davis stated this is not disturbing something that hasn't been disturbed before, that is where you are limited to 10%. This is redevelopment of a previously disturbed area. This project will improve this property.

Mr. Materne stated the debris that have been pointed out are removeable items. When you build a lawn people use herbicides, insecticides, and fertilizer. They all run off.

This was discussed further.

The commission discussed moving the septic where the well is located and moving the well where the septic is located for less of an impact.

Mr. Davis stated that it is an existing well. Test pits were done and the soils were not conducive.

Mr. Ryan DuVally owner of the property was present.

Mr. DuVally explained the location of the septic and the reason for the way it is being built in this location.

Mr. Materne stated that his concern is do you need a lawn this big?

Mr. DuVally stated that they did try to pull in the lawn area as much as possible. What about some mitigation inside the riparian zone where it is degraded now, we could offer to plant trees.

Mr. Morgan stated that there has been substantial regrown of the areas in the riparian zone. Asked if there had been any soil testing in the disturbed area for contamination?

Mr. Davis stated to best of knowledge there has not been any done. Typically, that is not required for a residential development.

Mr. Morgan asked when the house is done does the lawn move westward, does it go past where the straw wattle is?

Mr. Davis stated that it goes to the limit of work, the straw wattle.

Mr. Materne stated we should have them put up riparian zone signs.

Mr. Morgan asked for straw wattle on the south side of the driveway.

Mr. Davis stated that will be added.

Mr. Nicholson made a motion to close the public hearing.

Mr. Choquette seconded the motion. Motion passes.

The following Special Conditions were issued.

Mr. Nicholson made a motion to issue Orders of Conditions.

- 8 Riparian zone signs on the plan, as provided by the Conservation Commission. Noted to be installed prior to any work.
- Planting of trees at the direction of the commission, per a site visit.
- Removal of the debris, supervised by the Conservation Agent.
- Straw wattle placed on both sides of the existing driveway

Mr. Choquette seconded the motion. Motion passes.

4. Higgins – 367 Anawan St. – NOI – SE60-1272

Dean Monsees of OSD Systems was present.

Mr. Materne stated the commission went to the site, verified the wetland line, it is accurate.

There was discussion on a gravel berm that had previously been installed due to an enforcement order.

Mr. Monsees presented revised plans.

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

Mr. Nicholson made a motion to close the public hearing.

Mr. Choquette seconded the motion. Motion passes.

Mr. Nicholson made a motion to issue Order of Conditions.

Mr. Choquette seconded the motion. Motion passes

General Business

1. Batres – 62 Barney Ave. – SE60-1264 – Request for COC

Mr. Roach explained that this property is not 62 Blanding, as posted on the agenda in error. It is 62 Barney Ave.

Mr. Roach stated that everything had been done according to the plans. Recommended to issue the Certificate of Compliance.

Mr. Nicholson made a motion to issue a Certificate of Compliance.

Mr. Choquette seconded the motion. Motion passes.

2. Conservation Commissioners Updates

9 O'Hern Way – Right of Way

Mr. Materne asked if the right of way had been marked?

Mr. Roach stated everything that the commission asked has been done.

Mr. Materne asked what type of boundaries were put in, as markers.

Mr. Roach stated this was discussed on site. Asked the commission what they wanted.

Mr. Materne stated we want something permanent.

Mr. Nicholson stated 4" – 6" granite bounds are nice, 4' long.

Mr. Materne asked how many do you want?

This was discussed further.

The commission agreed to have granite markers are the corners of the right of way and rebar with galvanized piping over the rebar to mark the rest of the right of way.

Mr. Derek Rousseau of 150 Winthrop St. was present.

Mr. Rousseau suggested a sign that states right of way on the property.

Mr. Choquette stated to have the signs made out of aluminum and screw them to the galvanized post.

The commission agreed.

Fines

Mr. Materne asked the commission if anyone had come up with ideas for fines?

Mr. Materne shared his ideas.

This was discussed further.

Mr. Nicholson stated there should be three categories, minor offence, moderate offence, and major offence.

The commission agreed.

Mr. Materne spoke in regards to not fining someone who is working with the commission.

Mr. Choquette stated that a fine should be a last resort.

This was discussed further.

Transfer of Land

Mr. Materne asked how Town Counsel was doing with language for the transfer of land from Town of Rehoboth to the Conservation Commission?

Mr. Roach stated that Town Counsel needs a list of the properties that the commission want transferred.

Mr. Morgan will provide a list of properties to Mr. Roach.

Mr. Morgan provided language from the Massachusetts Association of Conservation Commissioners handbook.

3. Agent Update

There were no updates from the Agent.

Concerns & Complaints

1. 582 Winthrop St. - Concern

Mr. Roach stated he has not had any contact with Mr. Andrew Geisser, son of the property owner.

The commission agreed that this is something that is easily taken care of. They did not feel that there are any reasons to meet with Mr. Geisser.

Violations

1. Rego – 23 Winthrop St – Enforcement Order

Mr. Materne asked if there was any update?

Mr. Roach stated he hasn't heard back from the property owner.

2. Alves – 29 County St – Enforcement Order

Mr. Roach stated he hadn't seen any activity on the property.

Mr. Materne asked if the area around the septic system had stabilized?

Mr. Roach stated it has.

Mr. Materne stated that there are still areas on the property that need to be addressed. The property owner still needs to come to a meeting and discuss this with the commission.

3. Cordeiro – 97 Salisbury St – Enforcement Order

There was no new information.

4. Morrissey – 72 Martin St. – Enforcement Order

There was no new information.

5. Dias – 35 Starr Ln. – Enforcement Order

Mr. Choquette stated there is not enough germination to warrant lifting of the Enforcement Order. We may not get it because of the time of year. Keep the wattles in place. Toward the pond there is now an

entrance and exit area on the grass that is turning into mud. Wattles need to be placed at the end and draped towards the rear of the property.

6. 172 Summer Street - Violation

Mr. Morgan stated tonight on the news you will see a large fire the occurred in Philadelphia, that is mostly tires Giant flames, thick black smoke. Lucky for them that it was surrounded by concrete. Mr. Materne stated he is going to have the report to the selectmen this week.

ADJOURNMENT

Mr. Choquette made a motion to adjourn the meeting.

Mr. Nicholson seconded the motion. Motion passes.

Meeting adjourned at 8:35 pm.

For the Conservation Commission



Robert Materne, Chairman

David Evans, Vice-Chairman