

**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 – December 7, 2021

Present: Robert Materne, Chairman, Dave Evans, Thomas Nicholson, Krisna Prachanronarong, Associate Member William Morgan, Daniel Roach Conservation Agent.

Absent: Stephen Choquette, Matt Habershaw, Matt Kershaw.

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. Boylan – 13 Sassafras Rd. – NOI – SE60-1273

Mr. Hugh Webb of EcoSystem Solutions was present.

Mr. Webb presented plans.

Mr. Materne asked what the EX landscaped area was?

Mr. Webb stated that is a former landscaped area.

Mr. Materne asked around that is a fence?

Mr. Webb stated it is not a fence. It's currently small wood on the ground that outlines the area.

Mr. Materne asked if there would be a foundation for the shed?

Mr. Webb stated no.

Mr. Materne explained that building a shed is an exempt activity. We did not go out to the site because there was a question on the scale of the plan. If there are parts of the wetland line that do not need to be verified don't put it on the plan.

Mr. Evans stated don't highlight them.

Mr. Materne stated if they are highlighted then we will verify them. Did the commission have any questions or concerns?

Mr. Evans asked how the shed was going to be installed, the space is tight.

Mr. David Boylan of 13 Sassafras Rd. was present.

Mr. Boylan this would be a prefabbed shed from Home Depot. Explained how he would install it and why.

Mr. Materne stated that the commission would go out at their next site walk and verify the wetland line.

Mr. Webb requested a continuance until December 21, 2021.

Mr. Evans made a motion to grant a continuance until December 21, 2021.

Mr. Nicholson seconded the motion. Motion passes.

Mr. Boylan asked if he could install the shed before the project was approved?

Mr. Materne stated yes because it is an exempt activity, as long as the A series of flags is accurate.

Mr. Nicholson stated to install the shed at your own risk. If there is a problem you may have to move it.

Mr. Boylan stated he understood.

General Business

1. Perrino – 23 Ash St. – SE60-1127 – Request for COC

Mr. Roach stated that the septic system was rotated by about 10°, in the same location. Recommended granting the COC.

Mr. Evans made a motion to issue the Certificate of Compliance.

Mr. Nicholson seconded the motion. Motion passes.

2. Torres – 43 Williams St. – SE60-1266 – Request for COC

Mr. Roach stated that the ground has not been stabilized. Recommended not issuing the COC. He contacted the property owner and explained this to him. He asked if there was anything that he could do to satisfy the commission on this.

Mr. Materne asked if this was a septic repair to sell the house?

Mr. Roach stated yes.

Mr. Nicholson asked if the area that was not vegetated, is it a threat to the wetlands?

Mr. Roach stated it slopes off to the wetlands.

Mr. Nicholson stated that erosion control matting could be installed, but would need to be done before the ground freezes.

Mr. Materne stated to inform the owner that since this is a septic repair in order to sell the home. They need to put down the matting with the seed and fertilizer built in. Explain that because of this we are allowing that as stabilization. It needs to be installed before the next meeting.

3. Meeting Dates & Deadlines Schedule 2022 – Discussion/Vote

This item was tabled until the next meeting.

4. Conservation Commissioners Updates

There were no updates.

5. Agent Update

Mr. Roach spoke in regards to a potential filing for a potential battery storage facility off of Plain Street. He attended a pre-application meeting.

Violations

1. 9 O'Hern Way - Violation

Mr. Ryan DuVally developer of the subdivision was present.

Mr. Materne stated that the commission had gone out to the property. There were no issues, Mr. DuVally did everything we asked him to do.

Mr. Evans made a motion to lift the Enforcement order.

Mr. Nicholson seconded the motion. Motion passes.

Mr. Evans asked what the time table was for the right of way to be completed?

Mr. DuVally explained the time line. It should be done by the next site walk.

2. Rego – 23 Winthrop St – Enforcement Order

There was no update.

3. Alves – 29 County St – Enforcement Order

There was no update.

4. Cordeiro – 97 Salisbury St – Enforcement Order

There was no update.

5. Morrissey – 72 Martin St. – Enforcement Order

There was no update

6. Dias – 35 Starr Ln. – Enforcement Order

There was no update.

7. 582 Winthrop St. – Enforcement Order

There was no update.

8. Foley - Old Fall River Road

Mr. Ken Foley representing the owner of the property was present.

Mr. Materne stated that whoever it was that had done that work had place piles of fill on the property.

Mr. Foley asked what part of the property the commission was talking about?

Mr. Materne stated that there are piles of dirt in the wetlands in the back of the property.

Mr. Foley stated that he had walked the property himself today. He agreed with the commission. He will have the issues corrected. The piles have been on the property undisturbed in years. There were small trees growing out of the piles. His sons had turned the piles so that the trees didn't get any bigger, they do not sell any loam. There has been no activity with the piles for years. What his sons' intentions are with the piles he didn't know.

M. Materne stated that DEP states that you cannot have a commercial composting site without a pad and more than 600' from a perennial stream. There are a lot of leaves.

Mr. Foley stated they are not composting leaves; they are just piled.

Mr. Materne stated the concern is what is going to be leaching out of the leaves. When they say commercial, they mean more than what's from a backyard.

Mr. Foley stated he was no denying that there is a pile of leaves. Asked about what the commission was talking about in regards to a perennial stream, the ditch that goes between Rehoboth & Seekonk?

Mr. Materne stated that the stream is in Seekonk, but the inner and outer riparian zones are in Rehoboth. We need to re-establish the wetland line as it was draw on the map that we approved. Then we can see where everything is and go from there. The dirt pile is higher than it was originally. We told you in 2010 that if any more work occurred you would have to file a NOI, that didn't happen.

Mr. Evans stated to have someone survey the wetland line based on the old plan. Once that is done, we can determine how much dumping happened in the resource area.

Mr. Foley agreed to do that. Asked do you think we should determine the stream perennial or intermittent first?

Mr. Materne stated he would call Seekonk and ask for a determination, it's their jurisdiction.

Mr. Foley stated whatever he has to do he will. He will work with the commission.

Mr. Evans asked what is the time line for you to get someone out there to survey and hang the flags?

Mr. Foley stated he would contact an engineering firm as soon as possible.

Mr. Evans asked Mr. Foley talk to your sons and make sure that nobody brings anything else on to the site between now and the time that we can figure out what is going on, on the site?

Mr. Foley stated he would.

ADJOURNMENT

Mr. Evans made a motion to adjourn the meeting.

Mr. Nicholson seconded the motion. Motion passes.

Meeting adjourned at 8:39 pm.

For the Conservation Commission


Robert Materne, Chairman

David Evans, Vice-Chairman