

**CONSERVATION
COMMISSION**

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Robert Materne, Chairman
David Evans, Vice Chair
Thomas Nicholson
Krisna Prachanronarong
Stephen Choquette
Matthew Habershaw
Matt Kershaw
Scott Pennoyer, Assoc. Mbr.
Sara Huber, Assoc. Mbr.
Daniel Roach, Agent

REHOBOTH CONSERVATION COMMISSION
Meeting Minutes – December 8 2020

Present: Robert Materne, Chairman, Dave Evans, Thomas Nicholson, Krisna Prachanronarong, Matt Kershaw, Stephen Choquette, Daniel Roach Conservation Agent.

Absent: Matt Habershaw, Associate Member Sara Huber, Associate Member Scott Pennoyer.

CALL TO ORDER

Mr. Materne called the meeting to order at 7:01 PM.

Public Hearing and Meetings

1. DuVally – 6 October Road – NOI – SE60-1210

Mr. Materne stated that this application was waiting to receive a DEP number, which it has.

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

Mr. Nicholson seconded the motion. Roll call vote; all replied aye. Motion passes.

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

Mr. Nicholson seconded the motion. Roll call vote; all replied aye. Motion passes.

2. DuVally – 2 October Road – NOI – SE60-1208

Mr. Materne stated that this application was waiting to receive a DEP number, which it has.

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

Mr. Nicholson seconded the motion. Roll call vote; all replied aye. Motion passes.

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

Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.

3. DuVally – 2 September Way – NOI – SE60-1207

Mr. Materne stated that this application was waiting to receive a DEP number, which it has.

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

Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.

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

Mr. Prachanronarong seconded the motion. Roll call vote; all replied aye. Motion passes.

4. DuVally – 10 October Road – NOI – SE60-1209

Mr. Materne stated that this application was waiting to receive a DEP number, which it has.

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

Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.
Mr. Evans made a motion to issue Order of Conditions.
Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.

5. Andrade – 45 Medalist Drive – NOI – SE60-1211

Mr. Chris Andrade of InSite Engineering was present.
Mr. Andrade presented plans.
Mr. Materne and Mr. Andrade discussed the issue of the site plot not being marked for the commission to find in order to conduct a site walk.
Mr. Materne stated that there were no flags for the BVW near the stream, there were also no flags for the MAHW.
Mr. Evans stated that the flags are gone. The flagging is expired. The outer riparian zone was not flagged either.
Mr. Materne asked what was used to determine where the riverfront was?
Mr. Andrade stated that the previous approved definitive plan.
Mr. Materne stated that is expired?
Mr. Andrade stated yes. The work is well outside the 100' buffer on that side of the line.
Mr. Materne stated that the riparian zone is the issue. When you say the previous flagging, when was this last extended?
Mr. Andrade stated 2012.
Mr. Materne stated that if the wetland line has expired it no longer exist. We need to have the flags placed in the field. We have to verify the MAHW line and wetland flags.
Mr. Andrade stated ok.
Mr. Evans asked was this detention basin approved in the initial subdivision, but has expired?
Mr. Andrade stated that it was off the original subdivision.
Mr. Evans asked if the detention basin was installed previously?
Mr. Andrade stated he believes so.
Mr. Materne asked if there is a Certificate of Compliance on the subdivision?
Mr. Evans stated he would like to find out what the history on the detention basin is.
Mr. Andrade stated ok.
The commission discussed what is needed from the engineer.
Mr. Andrade requested a continuance until December 22, 2020.
Mr. Evans made a motion to grant a continuance until December 22, 2020.
Mr. Materne stated that the flags need to be up in the field before the site walk on December 20, 2020.
Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.

6. DuVally – 10 September Way – NOI – SE60-XXXX

Mr. Christopher Andrade of InSite Engineering was present.
Mr. Andrade presented plans.
Mr. Materne asked the commission if there were any issues, there were none.
Mr. Materne asked if the audience had any questions or concerns, there were none.
Mr. Andrade requested a continuance until December 22, 2020.
Mr. Evans made a motion to grant a continuance until December 22, 2020.
Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.

7. DuVally – 6 September Way – NOI – SE60-1214

Mr. Christopher Andrade of InSite Engineering was present.
Mr. Andrade presented plans.
Mr. Materne asked if the audience had any questions or concerns, there were none.
Mr. Evans made a motion to close the public hearing.

Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.
Mr. Evans made a motion to issues Order of Conditions.
Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.

8. Neilson – 236 Tremont Street – RDA

Ms. Rachel Smith of Otis Dyer's office was present.
Ms. Smith presented plans on behalf of OSD Systems.
The commission and Ms. Smith discussed the status of the pond on the edge of the driveway.
Mr. Materne asked when this pond was delineated?
Ms. Smith stated a few months ago.
Mr. Materne stated it may have been during the drought.
Ms. Smith stated it was during the drought when it was flagged.
Mr. Evans stated on the north end of the site the flags looked fine. He did not verify the flags that were not highlighted. The question he had is relating to the fact that there's an outlet on that ponding area, it goes underneath Tremont Street?
Ms. Smith replied yes.
Mr. Evans stated that it is not a direct hydric connection. He is fine with the road being located where it is proposed. Asked that the applicant install siltation control from flag A3-A10.
Ms. Smith stated there is siltation control proposed, do you want something else?
Mr. Evans stated no as long special attention is paid to it. Any siltation in that area is going to travel to a system south of it.
Mr. Choquette requested a detail of the erosion control around the slurry pit for the well.
Mr. Nicholson asked if this was a new driveway?
Ms. Smith stated yes.
Mr. Nicholson asked what it is made of?
Ms. Smith stated the whole site is gravel. So, she would assume it would be stripped of top soil and adding additional gravel. She will add that note to the plans.
Mr. Nicholson stated that we need to make sure that we have established vegetation to the west of the road, along the wetlands.
Mr. Materne asked if the commission had any issues, there were none.
Mr. Materne asked the commission if they felt that this project would have any negative impacts to the wetlands?
The commission felt it would not.
Mr. Materne recommended a Negative 3 Determination.
Mr. Evans made a motion to issue a Negative 3 Determination with language in the determination that mentions that we want the gravel driveway, we accept the A series of flags, and we accept flags B25-B33.
Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.

9. Morrison – 120 Mason Street – NOI – SE60-XXXX

Mr. Bob Berube of Pro Line Engineering was present.
Mr. Berube presented plans.
Mr. Materne stated that the commission had gone out to the site and there were no BVW flags.
Mr. Berube stated that this was done a few months ago. He could stake it out with ribbons.
Mr. Materne asked if Mr. Berube would consider the MAHW mark top of bank?
Mr. Berube stated no.
Mr. Materne stated the public hearing cannot be closed because the wetland line had not been verified.
Mr. Materne asked the commission felt about the accuracy as far as the riverfront on the property/
Mr. Evans stated he would like to see it marked. The MAHW, if it is marked and flagged, then I can walk it and see if it is accurate.
The commission felt it needed to be accurately flagged.

Mr. Materne stated that the next site walk was December 20th. Can you have it done by then?
Mr. Berube stated he would call the wetland scientist and give the office a call to let them know.
Mr. Berube requested a continuance until December 22, 2020.
Mr. Evans made a motion to grant a continuance until December 22, 2020.
Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.

General Business

1. Baasch – 62 Blanding Road – Request for COC – SE60-265
2. Baasch – 62 Blanding Road – Request for COC – SE60-266

The above items were tabled until a future meeting.

3. 83 Winthrop Street – Potential Amended Order of Conditions - Discussion

Mr. Roach read a letter that stated there is a minor change to the original plan to add an additional tank to the septic system. Should the Order of Conditions be amended?

The commission agreed that the change can be picked up on the as-built plans.

There was a roll call vote; all replied aye.

4. 2021 Meeting Date Schedule – Vote/Discission

Mr. Materne stated that we need to change the site walks for January 3 & January 17 meeting. They both fall on a holiday weekend. Change them to both be on January 11th to cover both meetings.

The commission agreed.

The above-named item was tabled until a revised meeting date schedule was provided to the commission.

5. DuMontier – 47 Spring Street – SE60-1081 – Request for Extension

Mr. Evans made a motion to grant a 3-year extension.

Mr. Nicholson seconded the motion. Roll call vote; all replied aye. Motion passes.

6. Ferreira – 180 Pleasant Street – SE60-1196 – Request for COC

Mr. Choquette recused himself.

Mr. Roach stated that Mr. Choquette and himself had gone out to the property. The grass came in great, all of the slopes are stabilized, and they added some additional plantings

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

Mr. Nicholson seconded the motion. Roll call vote; all replied aye. Motion passes.

7. Rosa - 139 Rocky Hill Road – SE60-0705 – Request for COC

Mr. Roach stated that everything was built according to the plan. Recommended granting the Certificate of Compliance.

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

Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.

8. Agent Update

Mr. Roach stated there was no update at this time.

Concerns & Complaints

1. 23 Bay State Road – Concern

Mr. Materne stated he had gone out and visited the site, from the road. It looked like they have cut in a new road. Asked Mr. Roach to contact the owner and find out what they are doing on the property. If this goes down the hill the Palmer River is down there. They could be working in a riparian zone.

2. 23 Winthrop Street – Concern

Mr. Materne stated that the concern he had is there are new owners and it looks like they have possibly added more sheds near the buffer zone. We want to make sure that, if they haven't done anything, we educate them that they need to protect the buffer zone, if they bring in animals.

3. 23 Palmer Meadow Drive – Plan Concerns

Mr. Materne asked Mr. Roach if revised plans had been submitted yet?

Mr. Roach stated that a certified letter had been sent, he had not received the signed green card back yet. He reached out to the owner of the property. The owner is willing to help take care of this. The owner is going to put up the conservation signs in the meantime.

Mr. Materne stated that this has been going on for the last 6 months. The commission is getting ready for disciplinary action against the engineering company if they do not submit revised plans.

4. 582 Winthrop Street – Concern– Working Past Scope of RDA

Mr. Roach stated it has been wet, so the work hasn't been done. Unless the commission feels otherwise. Mr. Nicholson stated there is nothing critical about removing the stumps, it can wait. As long as we have some Esurance that they are going to be removed.

Mr. Choquette stated there is a possibility that it could do more damage now, because it's wet.

Mr. Materne asked how about when it's frozen?

Mr. Choquette stated that January should be a good time.

Mr. Materne stated to Mr. Roach to tell the property owner that when the ground starts to freeze to remove the stumps.

5. 72 Martin Street – Concern

Mr. Materne stated that the commission is waiting for the owner to have more information to us in January.

6. 97 Salisbury Street – Concern

Mr. Roach stated there was no update.

Mr. Materne stated that we need to contact Town Counsel and get more information on how to move forward.

7. 29 County Street – Concerns

Mr. Materne stated the commission went out to the site. There is no activity.

Mr. Roach stated he had spoken with the owner. The owner had been busy.

Mr. Materne stated that this had been going on for a long time. Now we have had two major storm events with no erosion control in place. The property owner needs to find the time to take the pipe out of the wetlands and install erosion control.

Mr. Choquette stated it should only take two hours.

Mr. Materne stated that the erosion control and removal of the pipe needed to be done by December 20, 2020.

8. 579 Winthrop Street – Baasch – Concern

Mr. Roach stated he has left voicemail messages and we sent a letter last week.

Mr. Materne stated that all the dirt piles are running into the perennial stream.

9. 15 Starr Lane – Concern

Mr. Roach stated that he gone by the site and it looks like there had been more progress made.

Mr. Choquette stated that it is coming along very well. Explained what had been done.

Mr. Materne asked the commission if item needed to stay on the agenda, since the owner is working with the commission?

Mr. Choquette asked if the commission wanted to wait to take it off the agenda until he was able to check on the back part of the property/

The commission agreed to leave it on the agenda until Mr. Choquette could check on the back part of the property.

Meeting Minutes

1. October 20, 2020

Mr. Materne made some minor edits.

Mr. Evans made a motion to approve the above-named meeting minutes as edited.

Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.

ADJOURNMENT

Mr. Evans made a motion to adjourn the meeting.

Mr. Choquette seconded the motion. Roll call vote – all replied aye. Motion passes.

Meeting adjourned at 7:57 pm.

For the Conservation Commission



Robert Materne, Chairman

David Evans, Vice-Chairman