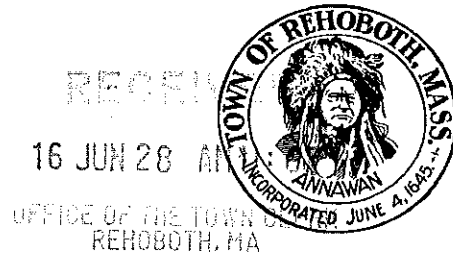


**CONSERVATION
COMMISSION**

148 Peck Street
Rehoboth, MA 02769
(508) 252-6891 Telephone
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Robert Materne, Chairman
David Evans, Vice Chair
Thomas Nicholson
Krisna Prachanronarong
Stephen Choquette
Matthew Habershaw
Scott Pennoyer
Karl Drown, Assoc. Mem.
Matt Kershaw, Assoc. Mem.
Devin Escobar, Assoc. Mem.

REHOBOTH CONSERVATION COMMISSION
Meeting Minutes – November 17, 2015

Present: Robert Materne, David Evans, Thomas Nicholson, Krisna Prachanronarong Steven Choquette, Matt Habershaw, Scott Pennoyer, Devin Escobar-Associate Member, Leeann Bradley Conservation Agent

Absent: Matt Kershaw-Associate Member

CALL TO ORDER

Mr. Materne called the meeting to order at 7:01 PM. Pledge of Allegiance recited at 7:02pm.

CONCERNS AND COMPLAINTS

178 Summer Street – Solid waste in BVW – No new information.

Manitook Estates – Conduct frequent site visits.

CURRENT ISSUES

1. Lot 10 Plain St. – Vieira – EO Lifted – Mr. Materne stated the Conservation Commission made a visit to the site. The restoration area does not show any wetland vegetation. They will take a look in the spring to see if vegetation is established. If growth has not been established, Mr. Vieira may have to replant the area in the spring.
2. Two Key West Blvd. – Ferreira - wetland fill/alteration – Mr. Materne noted the project looks excellent and Mr. Ferreira did a wonderful job. The Commission will visit the property next fall and does not anticipate any problems.
3. 187 Pleasant Street – Goulet – BVW/Riverfront fill – EO issued – Mr. Choquette began by stating he has visited the site. The applicant switched the Arbor Vitae for Australian Pines. The majority were planted loose in the ground and leaning and therefore need to be staked in place. All the areas that the Commission asked the applicant to address were viewed and PVC pipes were put in the ground as permanent markers as well as some smaller Arbor Vitae. Mr. Choquette instructed the applicant not to mow beyond those fixtures and that the Commission will be back in May of 2016 to see if the plantings have survived and if they need to be replanted.

4. 72 Francis Street – Mr. Ryan Rodriques was present. Mr. Materne stated the Commission went out on Sunday and met with Mr. Rodriques. The wetland flags and plan have not been completed as of yet. Mr. Materne asked for a completion date. Mr. Rodriques informed him he hoped to have flagging completed by Friday or Saturday. And, Jim Miller will be doing the survey. He hopes for a plan by the next meeting. Mr. Materne asked Mr. Rodriques to contact the office when the plan is complete to set up a site visit for the Conservation Commission to verify the wetland line.

5. 131 Mason Street – Noons – No new information. Mr. Materne noted the applicant was to have the area flagged by November 17, 2015. Ms. Bradley has heard nothing from the applicant. The Commission will allowed one more meeting for the completion of the flagging. A letter will be sent to the applicant informing them they have one more meeting to complete the flagging before further action is taken.

6. Manitook Estates – Enforcement Order in effect – There is a meeting on site with DEP this Thursday at 10:45am. Mr. Materne will try to make that meeting.

7. 263 Winthrop St. – Tavares Landscaping – Mr. Rob Tavares was present. The BVW was flagged by Brandon Faneuf. Pro-Line Engineering is doing the plan but it was not ready for this meeting. Mr. Materne informed Mr. Tavares he needs the plan before the next site walk so the Commission can verify the wetland line.

PUBLIC HEARINGS & MEETINGS

1. 153 Davis Street – Fortin – NOI SE60-1030 – Mr. Materne informed the Commission that DEP has changed their regulations and no longer reviews variances closer than 50'. It is now up to local boards to make that decision. Mr. Bob Berube was present on behalf of the applicant. Mr. Berube spoke with Brett Rowe at DEP who informed him the variance he is seeking is no longer reviewed by DEP. He stated that many of the projects DEP once reviewed are now being handed back to the individual towns to handle. This is due to staffing shortages within the state. Mr. Berube stated the project was initially approved by the Board of Health pending a decision by DEP, which is no longer required. The Board of Health re-approved the variances as it was originally submitted at tonight's meeting. Mr. Robert Ashton, Health Agent came before the Commission and briefed them on the project.

Mr. Pennoyer motioned to close the public hearing.

Mr. Habershaw seconded the motion. Motion passed.

Mr. Pennoyer motioned to issue the Order of Conditions and approving the project as proposed.

Mr. Nicholson seconded the motion. Motion passed.

2. 11 Osprey Circle – Decof – NOI- SE60-1029 – This matter will be continued to the meeting of December 1, 2015.

3. Pleasant Street Bridge – Town of Rehoboth – NOI – SE60-1032 – Ms. Marty Nover of Nover-Armstrong was present as well as Michael Tyler from the Rehoboth Highway Department and Jim Noyes from the engineering firm, Greenman Peterson. Ms. Nover began by stating they now have a DEP number and that some construction specifications were needed. They will file soon with the Army Corp once the plans are finalized. The area is within a possible Zone A. The tributary leads to the Swansea Water Supply. The project does not meet the stream crossing standards. The 1.2 width requirement would have needed a larger structure. No BVW was altered. Mr. Materne questioned if the culvert bottom meets the stream bottom. It needs to replicate natural substrate. Mr. Evans stated this is an emergency project for a bridge that washed out in 2010, and it does not meet the performance standards of a stream crossing. Mr. Nicholson had concerns regarding the wing/head walls and that it doesn't appear as though there are any footings there. Mr. Tyler stated they used geogrid to help fortify the structure. Mr.

Nicholson stated that this information did not appear on the plans. It was more of a site plan and not a design plan. Mr. Materne added that the wing walls were not allowed with the Emergency Certification. Mr. Pennoyer brought up his concern with the water flow and how the new square culvert will impact the flow. Mr. Tyler stated the flow would not be changed. Ms. Bradley asked if the bank could be revegetated in the spring. Mr. Tyler stated it would not be a problem. The Conservation Commission asked for some more details on the construction of the head wall/wing walls, the footings and geogrid. A narrative was requested to explain what shape culvert was there previously, and how it was replaced by a different shaped culvert, but did not diminish the water flow. They must also address the public water supply issue and that a Water Quality Certification can be obtained if needed. A planting plan to be implemented in the spring was also requested. Mr. Jim Noyes added he drew the as-built plan. Mr. Nicholson stated the plan is fine, however it does not show how the project was constructed. He informed Mr. Noyes that adding a narrative would suffice. This matter will be continued at the next meeting on December 1, 2015.

4. 135 Hillside Ave. – Warren – ANRAD – SE60-1033 – Mr. Dean Monsees was present on behalf of the applicant. He is presenting a building site and flagging for the BVW, IVW and TOB for Carpenter Brook. Mr. Monsees indicated the TOB was located by Mr. Otis Dyer but not flagged. The BVW was double flagged by Walter Hewitson and also Brandon Faneuf. The plan represents the flags placed by Walter Hewitson. Mr. Evans indicated the IVW flagging was well done. There were no connections or culverts or swales. The MAHW of Carpenter Brook across the street needs to be determined. Mr. Monsees stated the IVW is under ¼ acre foot. Mr. Pennoyer stated it is non-jurisdictional under the Wetland Protection Act.

This matter will be continued at the next meeting on December 1, 2015.

Mr. Evans motioned to grant a continuance to the public hearing.

Mr. Nicholson seconded the motion. Motion passed.

5. 31 Wheeler St. – Mayo – RDA – septic repair – Mr. Michael Patineaude was present on behalf of the applicant. He is proposing a septic repair that seems straight forward. Ms. Bradley looked at the site and the repair seems minimal.

Mr. Evans motioned to issue a Negative #3 Determination of Applicability

Mr. Nicholson seconded the motion. Motion passed.

GENERAL BUSINESS

1. John Duvally – Peck/Reynolds Street – Conservation Restriction – Discussion – Mr. John Duvally was present to discuss a Conservation Restriction. He passed out a narrative to the Commission and gave a brief summary on MEPA and MESA filings. Mr. Duvally is asking the town to hold the Conservation Restriction on 27 acres. The Declaration of Restriction is a placeholder that gets recorded while other logistics get worked out. The Conservation Commission and the state have the right to go out to the property once a year. It is not accessible to the general public. The Conservation Commission will look over all the information Mr. Duvally submitted including the Conservation Restriction. They will conduct some additional research.

2. Request for COC – 450 Tremont St. – Griffin – SE60-566 – Ms. Bradley looked at the property and stated everything looked good.

Mr. Nicholson motioned to issue the Certificate of Compliance for 450 Tremont St.

Mr. Habershaw seconded the motion. Motion passed.

INVOICES

1. Environmental Consulting & Restoration – 56 County St. ANRAD - \$1,710.00

Mr. Nicholson motioned to submit payment to ECR

Mr. Evans seconded the motion. Motion passed.

OTHER

Mr. Materne informed the Commission that Mr. Karl Drown submitted his resignation as an Associate Member of the Conservation Commission.

Mr. Pennoyer motioned to regrettably accept the resignation of Mr. Karl Drown as Associate Member of the Conservation Commission.

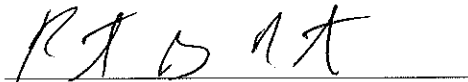
Mr. Habershaw seconded the motion. Motion passed.

ADJOURNMENT

Mr. Nicholson motioned to adjourn the meeting at 8:45 p.m.

Mr Habershaw seconded the motion. Motion passed.

For the Conservation Commission,

A handwritten signature in black ink, appearing to read 'R. Materne', is written over a horizontal line.

Robert Materne, Chairman