

**CONSERVATION  
COMMISSION**  
148 Peck Street  
Rehoboth, MA 02769  
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Robert Materne, Chairman  
David Evans, Vice Chair  
Thomas Nicholson  
Krisna Prachanronarong  
Stephen Choquette  
Matthew Habershaw  
Scott Pennoyer  
Matt Kershaw, Assoc. Mem.  
Devin Escobar, Assoc. Mem.

**REHOBOTH CONSERVATION COMMISSION**  
**Meeting Minutes – March 15, 2016**

RECEIVED  
17 FEB 22 AM 8:51  
OFFICE OF THE TOWN CLERK  
REHOBOTH, MA

**Present:** Robert Materne, David Evans, Thomas Nicholson, Scott Pennoyer,  
Matt Kershaw-Associate Member

Leeann Bradley, Conservation Agent

**Absent:** Steven Choquette, Devin Escobar-Associate Member, Krisna Prachanronarong, Matt Habershaw

**CALL TO ORDER**

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

**CONCERNS AND COMPLAINTS**

**CURRENT ISSUES**

1. 153 Davis Street – erosion control – Ms. Bradley has been to the property and everything looks fine.
2. 11 Old Providence Road, 25 & 29 Fall River Ave. – Raposo – Ms. Maria Raposo was present. Mr. Materne began by stating he went to the property with Ms. Raposo and noted there was good progress. Ms. Raposo has contacted someone who will remove the wood chips as well as the tree trunks. The entire area will be cleaned up within two weeks. Mr. Materne mentioned to Ms. Raposo an excavator may be needed to remove all the wood chips. He suggested being contacted once the excavator is there so as not to dig too deep into the ground. Ms. Raposo agreed to let him know. The Conservation Commission will make another visit in two weeks.
3. 80 Mason Street – Rehoboth Land Trust property – possible damage – Ms. Bradley sent a letter as requested at the last meeting. The letter informed the father of the individual who was caught riding on the property that the property is part of the Rehoboth Land Trust. It is overseen by the Conservation Commission. It is illegal for vehicles to be on the property. Ms. Bradley spoke to the father. He confirmed that he has spoken to his son about this matter and agreed to address any damage done by his son.
4. 417 Winthrop St. – Cartin – Tree clearing within riverfront area - Mr. Sean Cartin was present. The project is back on track for the spring. He wants to go forward and clean up the area and remove debris as requested by the Conservation Commission. Mr. Cartin is before the commission tonight to confirm it is okay to proceed with the cleanup. He is anxious to get it done. Mr. Evans asked Mr. Cartin to let him know when the work is done so the commission can take a look. Mr. Cartin agreed.

## **PUBLIC HEARINGS & MEETINGS**

1. 297 Winthrop St. – SunConnect – ANRAD – SE60-1036 – Mr. Frank Bicchieri from Bertin Engineering was present on behalf of the applicant. He came before the commission with some revisions to the plan. He made revisions and the wetland area was extended. It shows the BVW and RFA has been added to the plan. They discussed the IVW as being Federal Jurisdictional but not buffer zones. They can work up to them but not touch them. He will be submitting a Notice of Intent in the near future.

Mr. Nicholson motioned to close the public hearing

Mr. Pennoyer seconded the motion. Motion passed.

Mr. Evans motioned to issue the ORAD.

Mr. Pennoyer seconded the motion. Motion passed.

2. 104 Agricultural Avenue – Sheehan – NOI – SE60-1040 – Mr. Peter Lavoie from Landmark Site Design was present on behalf of the applicant, Debra Sheehan. He is proposing a septic repair for a failed septic system. He is replacing the system in the same location as the failed one. The septic system is 57' away from the well. Mr. Lavoie is requesting a waiver from the Board of Health. Mr. Materne stated they went to the site and the line looked fine. He added that he would like the grass clippings to be cleaned out of the wetland. The applicant agreed.

Mr. Evans motioned to close the public hearing.

Mr. Nicholson seconded the motion. Motion passed.

Mr. Evans motioned to issue the Order of Conditions.

Mr. Nicholson seconded the motion. Motion passed.

3. 33 Dean St. – DuVally – NOI – SE60-1038 – Mr. Rob Davis from Insite Engineering was present on behalf of the applicant Mr. Ryan DuVally. He is proposing a single family house. The BVW has been flagged by Brandon Faneuf. The septic system and well are shown on the plan with the proper offset requirements. He is proposing a double row of hay bales for the well operations. There will be erosion control bales and a silt sock installed along the perimeter. Mr. Materne went to the site and could not verify the line. The soil was hardpan 12" from the top. The wetland line is the limit of work. Ms. Bradley added she did not get a report or data sheets from Brandon Faneuf. Mr. Materne added there was hydric soil present where the house is proposed and the trees were wetland tree species such as Tupelo and Red Maple. Ms. Bradley suggested moving the placement of the house. Mr. Davis stated there may be some flexibility with regard to the house. Mr. Materne suggested making the wetland line accurate first and then discuss moving the house. The Conservation Commission will make another site visit to verify the line. Mr. Brandon Faneuf will be asked to attend. The site visit will be scheduled for Sunday, April 3, 2016.

Mr. Pennoyer motioned to continue the meeting to the next Conservation Commission meeting on April 5, 2016.

Mr. Evans seconded the motion. Motion passed.

4. One Linden Lane – Martel – NOI – SE60 – Mr. Rob Davis from Insite Engineering was present on behalf of the applicant. He is proposing a single family home with septic, well and a pool within the BVW. Approximately 1,520 s.f. of fill will be needed for the pool. The replication area will be approximately 2,280 s.f. and will include a planting schedule, which is shown on the plans. New England wet mix will be used for ground cover. A silt sock will be located around the perimeter. Straw wattles are proposed for erosion control. They will be removed after the replication has been established. Mr. Materne informed Mr. Davis the commission made a visit to the property. They could not determine where the corners of the house were staked. He has a concern regarding the pool in the wetlands and stated Mr. Davis will need to find a better place for the pool. He suggested moving the house closer to the street or installing the pool to the left or right side of the house. He added the applicant can appeal the decision of the Conservation Commission. Ms. Bradley added that DEP has already seen the plan. If the commission were to approve it and issue an Order of Conditions, DEP will look at it and then appeal it.

Mr. Evans suggested moving the entire project 30' southwest. The Conservation Commission would have no issue and neither would DEP. Mr. Pennoyer does not think the project can be moved 30'. The house could only be moved forward 19' to be at the limit of the offsets. Mr. Nicholson feels the applicant should build a pool outside the wetland. Mr. Materne suggested a continuance of the public hearing to the meeting of April 6, 2016. Mr. Davis spoke to the applicant and agreed to a continuance. Mr. Davis will revise the plans and come before the commission at their next meeting on April 6, 2016. Mr. Evans motioned to grant a continuance of the public hearing to the meeting of April 6, 2016. Mr. Nicholson seconded the motion. Motion passed.

5. 119 Ash St. – Delprete – NOI – SE60 - Mr. Peter Lavoie from Landmark Site Design was present on behalf of the applicant. He is proposing a single family house with septic system, well and pool. Mr. Materne stated the commission has approved the wetland line. He noted the site is in a beautiful location. Mr. Evans motioned to close the public hearing. Mr. Pennoyer seconded the motion. Motion passed. Mr. Evans motioned to issue an Order of Conditions. Mr. Pennoyer seconded the motion. Motion passed.

## **GENERAL BUSINESS**

1. 2015 Annual Report – Mr. Materne asked for a vote to approve the Annual Report. Mr. Nicholson motioned to approve the Annual Report. Mr. Pennoyer seconded the motion. Motion passed.

## **MINUTES**

## **INVOICES**

1. Reimbursement – postage - \$38.34  
Mr. Nicholson motioned to approve postage reimbursement of \$38.34  
Mr. Evans seconded the motion. Motion passed.

2. Brad Holmes – SunConnect – ANRAD - \$1,800.00  
Mr. Pennoyer motioned to submit payment to Brad Holmes  
Mr. Nicholson seconded the motion. Motion passed.

## **Discussion**

Eagle Scout Matthew De Costa, 189 Mason St. – Matthew DeCosta came before the Conservation Commission proposing an Eagle Scout Project at the Miller Bird Sanctuary. He is hoping for approval to clear paths, re-establish one trail that is overgrown, repaint signs and replace 2 picnic tables on the property. Mr. Pennoyer walked the entire trail with Matthew and determined he had some great ideas. Mr. Pennoyer agreed to be the contact person for the project. Matthew will contact him for any questions or concerns regarding the project. After it is approved by the Conservation Commission, Matthew stated it will take several months before the project actually begins.

Mr. Pennoyer motioned to write a letter of approval for Matthew DeCosta to go forward with this project as proposed.

Mr. Evans seconded the motion. Motion passed.

Mr. Evans spoke to Adam Latham at the Rehoboth Land Trust meeting. He had an opportunity to go out to Reynolds St. property. It is a nice piece of property and it would be advantageous to have it as part of the Rehoboth Land Trust. The land trust could maintain it for public access. The developer will donate the land and Adam Latham will oversee the process.

Mr. Evans motioned to transfer the Reynolds Street property to the Rehoboth Land Trust.

Mr. Pennoyer seconded the motion. Motion passed.

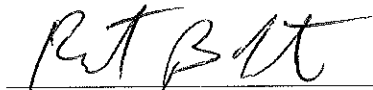
Mr. Materne informed the commission of a possible violation on 12 Martin St. Ms. Bradley state there has been clear cutting within the buffer zone and possibly into the BVW. She will send a letter asking the property owner to come to the next Conservation Commission meeting.

Mr. Materne also brought up a possible violation on 206 Winthrop St. Ms. Bradley stated she has driven by and only noticed a small pile of wood chips. She could not access the property.

**ADJOURNMENT**

Mr. Materne adjourned the meeting for the purpose of going into Executive Session at 7:50pm  
Roll call vote. All aye.

For the Conservation Commission,

A handwritten signature in cursive script, appearing to read 'R. Materne', written over a horizontal line.

Robert Materne, Chairman