

**CONSERVATION  
COMMISSION**  
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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 – May 3, 2016**

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

**Present:** Robert Materne, David Evans, Scott Pennoyer, Matt Habershaw, Stephen Choquette, Matt Kershaw-Associate Member, Devin Escobar-Associate Member

Leeann Bradley, Conservation Agent

**Absent:** Thomas Nicholson, Krisna Prachanronarong

**CALL TO ORDER**

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

**CONCERNS AND COMPLAINTS**

1. 187 Pleasant St. – Goulet – BVW/Riverfront fill – EO issued – Mr. Materne asked Ms. Bradley to notify the applicant the commission wants to revisit the property. It will be added to the next site walk for the next meeting on May 17, 2016.

**CURRENT ISSUES**

1. 12 Martin St. – Sullivan – Possible tree clearing within buffer/BVW – Mr. Robert Sullivan was present. Mr. Materne began by stating the Conservation Commission went out to the property on Sunday and met with his wife. The Commission observed a lot of fresh cutting on the property. Mr. Sullivan agreed. Mr. Materne stated the area needs to be restored but did not recommend removing the brush piles that are currently in the wetlands at this time. Mr. Sullivan stated the BVW was flagged in 2010. Mr. Materne proposed that if the Commission does not require Mr. Sullivan to plant any trees or shrubs he should leave the property alone. There will be no need to flag the property. Mr. Sullivan confirmed he has no intention of building on that property. Mr. Choquette recommended stopping all activity to let the plants regenerate. Mr. Sullivan will remove all hazardous material and will barricade the street entrance to the rock wall. He has also notified the Police Department. Mr. Materne informed Mr. Sullivan the Commission will revisit the site on the Sunday before the second meeting in December.

2. 11 Old Providence Road, 25 & 29 Fall River Ave. – Raposo – Mr. Bradley received a call from Ms. Raposo stating they are still making progress at the property.

3. 417 Winthrop St. – Cartin – Mr. Materne noted the commission went to the property. Mr. Cartin has worked hard. He has done what the commission has asked. He has removed all debris down to the bottom of the hill. He will have to install woodchips and grade the upper area for annuals and perennial grasses. Mr. Materne wants a survey of the trees in the area that was not disturbed and wants the same trees planted in the disturbed area.

4. 131 Mason Street – Clear cutting within the Riverfront – Mr. Steve Noons was present. The delineation plans have been received. Mr. Pennoyer and Mr. Materne did not agree about having a farm delineated or questioning the property's change of use. Mr. Evans noted the south side was the issue nearest the river. Mr. Materne stated the wetland boundary is fine. No Enforcement Order will be issued as Mr. Noons is working with the commission. No further action will be taken.

5. Manitook Estates – Under Enforcement Order – Site visit update – Mr. Materne began by stating the Conservation Commission made a visit to the property and met with Attorney Peitnick (spelling?) The erosion control in the disturbed area is in place. The applicant has until the end of June to start the restoration work. This has not been started. Erosion control down to the road needs to be completed, and that has not been started. Ms. Bradley will relay the information from tonight's discussion to Attorney Peitnick. She will remind him of the planting deadlines. This will be added to the site visit for the mid-June meeting.

6. Lot 10, Plain Street – Vieira – Update on restoration – Mr. Ed Vieira was present. Mr. Materne inquired about the elevation in relation to the restoration. Are wetland plants beginning to grow? Does the grading need to be changed? He added that 75% of the plantings need to be successful within one year. Mr. Vieira stated nothing is growing due to neighbors with dirt bikes riding on the property. He called the police several times. The neighbor has since moved, but the damage to the property has been done. Mr. Vieira asked for the commission's permission to dig down about 8" and loam and seed the area. The commission wants to take another look at the property at their next site visit. They advised Mr. Vieira not to do anything until they make their visit.

7. Hazelton Golf Course – site visit update – The applicants left before the commission got there. It will be added to the next site visit.

8. OakHill Beagle Club – This will be added to the next site visit. Mr. Evans noted that he would like a few members of the Rehoboth Land Trust to attend the visit. Ms. Bradley will notify Mr. Evans when she hears from the applicant.

## **PUBLIC HEARINGS & MEETINGS**

1. 237 Brook St. – Scott Pennoyer – NOI – SE60-1047 – Mr. Pennoyer recused himself. He is the applicant and made his presentation to the commission. He began by stating the project received a DEP number but the public hearing cannot be closed as it is under review by the NHESP. They have 30 days to issue a finding. He is proposing a driveway to access the property in the back for a gentleman's farm. He has no plans to develop the property. He is altering 2,000s.f. of resource area and replicating 3,000s.f. of resource area. The edge of the driveway will have a 5' grass slope. He is proposing 3 Conservation signs at wetland flags 48, 43 and 38. The flag line has been approved through the ANRAD which is still valid. Mr. Materne noted the commission made a visit to the property. They have a concern with the abutter filling in the wetlands with brush and shrubs. Mr. Pennoyer stated he would take care of that with the installation of the driveway and a fence. Mr. Materne also wants to reestablish the flag line along the work area. Mr. Pennoyer stated the proposed driveway will probably be asphalt since it is easy to maintain. Mr. Pennoyer requested a continuance of the public hearing until he hears back from NHESP. Mr. Evans motioned to grant a continuance to the next meeting on May 17, 2016. Mr. Habershaw seconded the motion. Motion passed. Mr. Pennoyer returned to the Conservation Commissions panel.

2. 205 Anawan St. – Ryan DuVally – NOI – SE60-1054 – Mr. Rob Davis from Insite Engineering and Mr. Ryan DuVally were present. Mr. Davis began by proposing a single family house. The plans have been revised and submitted. Wetland flags A3-A15 have been approved. The commission had no issues. Mr. Pennoyer motioned to close the Public Hearing. Mr. Evans seconded the motion. Motion passed. Mr. Pennoyer motioned to issue an Order of Conditions. Mr. Evans seconded the motion. Motion passed.

3. 207 Anawan St – Ryan DuVally – NOI – SE60-1053 – Mr. Rob Davis from Insite Engineering and Mr. Ryan DuVally were present. Mr. Davis began by noting wetland flags A24-A28 have been corrected for the proposed single family house. The commission had no issues. Mr. Evans motioned to close the Public Hearing. Mr. Choquette seconded the motion. Motion passed. Mr. Evans motioned to issue an Order of Conditions. Mr. Habershaw seconded the motion. Motion passed

4. 130 Reynolds Ave. – John DuVally – NOI – SE60-1050 – Mr. Rob Davis from Insite Engineering and Mr. John DuVally were present proposing a single family house with minimal impact on the wetlands. NHESP has been approved and is noted on the application. The commission had no issues. Mr. Pennoyer motioned to close the Public Hearing. Mr. Habershaw seconded the motion. Motion passed. Mr. Habershaw motioned to issue the Order of Conditions. Mr. Pennoyer seconded the motion. Motion passed.

5. 134 Reynolds Ave. – John DuVally – NOI – SE60-1049 – Mr. Rob Davis from Insite Engineering and Mr. John DuVally were present proposing a single family house with the corner of the house falling within the 100' buffer. The commission had no issues. Mr. Evans motioned to close the Public Hearing. Mr. Habershaw seconded the motion. Motion passed. Mr. Evans motioned to issue the Order of Conditions. Mr. Habershaw seconded the motion. Motion passed.

6. 150 Reynolds Ave. – John DuVally – NOI – SE60-1048 - Mr. Rob Davis from Insite Engineering and Mr. John DuVally were present proposing a single family house. The turtle barrier will be the limit of work. The house and septic are within the buffer zone. Mr. Bradley suggested signs for the Turtle Barrier area. Mr. Materne stated the Turtle Barrier signs should be installed for the other lots as well. Mr. Pennoyer motioned to close the Public Hearing. Mr. Evans seconded the motion. Motion passed. Mr. Evans motioned to issue an Order of Conditions and look at the turtle barrier signs. Mr. Evans seconded the motion. Motion passed.

7. 44 County Street – John DuVally – NOI – SE60-1052 - Mr. Rob Davis from Insite Engineering and Mr. John DuVally were present proposing a single family house. He began by stating the ANRAD approved the BVW. There is a shared driveway with no BVW impact. There will be an equalizer pipe under the driveway. Mr. Habershaw motioned to close the Public Hearing. Mr. Evans seconded the motion. Motion passed. Mr. Habershaw motioned to issue the Order of Conditions. Mr. Choquette seconded the motion. Motion passed.

8. 48 County Street – John DuVally – NOI – SE60-1051 - Mr. Rob Davis from Insite Engineering and Mr. John DuVally were present proposing a single family house. The commission had no issues. Mr. Pennoyer motioned to close the Public Hearing. Mr. Choquette seconded the motion. Motion passed. Mr. Pennoyer motioned to issue the Order of Conditions. Mr. Choquette seconded the motion. Motion passed.

#### **GENERAL BUSINESS**

1. Perryville Dam – Inspection – vote to fund inspection –

Mr. Pennoyer motioned to fund the Perryville Dam Inspection from the 53E1/2 account. Mr. Evans seconded the motion. Motion passed.

2. Bristol County Mosquito Control – 305 Providence Street – Ms. Bradley is still working with them.

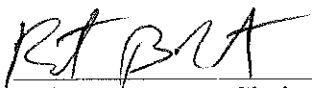
#### **MINUTES**

#### **INVOICES**

#### **ADJOURNMENT**

Mr. Evans motioned to adjourn the meeting at 8:10pm. Mr. Habershaw seconded the motion. Motion passed.

For the Conservation Commission,

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

Robert Materne, Chairman