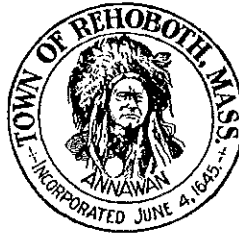


**CONSERVATION
COMMISSION**

148 Peck Street
Rehoboth, MA 02769
(508) 252-6891 Telephone
(508) 252-5342 Facsimile



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 – June 7, 2016

Present: Robert Materne, David Evans, Thomas Nicholson, Krisna Prachanronarong Scott Pennoyer, Matt Habershaw, Stephen Choquette, 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

CURRENT ISSUES

1. 11 Old Providence Road, 25 & 29 Fall River Ave. – Raposo – Mr. Materne stated the commission made a visit to the property and met with Mrs. Raposo. He noted she has done everything the commission has asked her to do. She did a good job clearing out all the trailers and debris. She intends to install barriers so tenants can be kept out of the area. Mr. Raposo will inform the Conservation Commission when the barriers are in place so they can revisit the property.
2. 417 Winthrop St. – Cartin – No new information at this time.
3. 72 Francis St. - Rodrigues – BVW/Buffer Zone clearing – No new information at this time.
4. Manitook Estates – Enforcement Order – Mr. Materne stated DEP will be making a visit to the property on Thursday. Mr. Materne and a few other members of the commission will be in attendance. He noted that quite a bit of work has been done that should not have been done.
5. Lot 10 Plain St. – Vieira – EO lifted – Revisit in June 2016 – No new information at this time.
6. Oak Hill Beagle Club – Mr. Materne stated the commission made a visit to the property and noted the wetland is revegetating very well. The trees and shrubs they planted are coming up; however Mr. Materne is concerned with what appears to be ATV activity through the wetlands. This matter will need to be addressed

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7. 187 Pleasant St. – Goulet – BVW/Riverfront fill – EO issued – Mr. Choquette reported that he inspected the property. There were concrete barriers in place along the wetland line. PVC was in place but not well done. Vegetation is coming back and the applicant promised to stay out of the wetlands. Mr. Choquette feels what he saw is as good as it is going to get. Mr. Habershaw noted the slope on the property is vegetating very well. Mr. Materne asked the commission if they feel the Enforcement Order should be lifted. The commission agreed.

Mr. Nicholson motioned to lift the Enforcement Order.

Mr. Choquette seconded the motion. Motion passed.

8. 309 Summer St. - Dalmeida – wetland alteration – issue EO – Mr. Materne stated the commission made a visit and confirmed Mr. Dalmeida is filling in the wetland. An Enforcement Order will be issued. Mr. Materne asked Ms. Bradley to draft a letter to National Grid thanking them for notifying the Conservation Commission about the activity taking place.

Mr. Habershaw motioned to issue an Enforcement Order to Mr. Dalmeida.

Mr. Choquette seconded the motion. Motion passed.

PUBLIC HEARINGS & MEETINGS

1. 6 Willow Way – Meridian Custom Homes – RDA – Mr. Chris Andrade from Insite Engineering was present on behalf of the applicant, Meridian Custom Homes. He began by stating the wetlands were previously delineated on an approved ANRAD for the subdivision. There will be no work within the 50' buffer or grading within the 100' buffer. Ms. Bradley asked that she be notified when erosion control begins to verify it is actually at the 50' line. Mr. Andrade agreed.

Mr. Evans motioned to issue a Negative #3 Determination of Applicability for 6 Willow Way.

Mr. Nicholson seconded the motion. Motion passed.

2. 195 Perryville Road. – Gamba – RDA – Mr. Otis Dyer was present on behalf of the applicant. He began by stating the gravel road has been put in as well as driveway. There is a conduit for electricity underground from the road to a bridge. The applicant has gone through National Grid and they wish to use the conduit that is already there. The equipment is National Grids however they don't seem to know about it. They are not sure National Grid will accept the conduit underground. Mr. Dyer added that National Grid will not look at the project until they have an RDA with a negative determination. The plan shows that it was flagged in 2009 by Karl Drown. This RDA is only for utility poles working within the gravel road. Ms. Bradley stated the poles must be on the upland side of the road/driveway. Mr. Materne wants a condition that the conduit will not be touched. There can be no digging on the road.

Mr. Habershaw motioned to issue a Negative #3 Determination of Applicability for 195 Perryville Road with the conditions regarding pole placement and digging restrictions.

Mr. Prachanronarong seconded the motion. Motion passed.

3. 122 Peck St. – Prairie – NOI – SE60 – Mr. Jim Miller from Miller Engineering was present on behalf of the applicant. Mr. Materne began by stating that there is almost 900' of flagging and the applicant should submit an ANRAD. He added they need to assume that anything highlighted needs to be verified. The plan should show only the flagging that applies to the application. Ms. Bradley stated the plan shows the well in the wetlands and Mr. Miller will need erosion control. Mr. Miller requested a continuance to the next meeting on June 21, 2015. The commission will conduct a site walk on June 19th to verify the line. Mr. Habershaw suggested the house, well and septic system be staked out for the site visit.

Mr. Nicholson motioned to grant a continuance for 122 Peck St.

Mr. Evans seconded the motion. Motion passed.

4. 237 Brook St. – Scott Pennoyer – NOI - SE60-1047 – waiting for NHESP determination –

Mr. Pennoyer recused himself from the public hearing.

Mr. Pennoyer, as the applicant, asked to close the public hearing.

Mr. Nicholson motioned to close the public hearing.

Mr. Habershaw seconded the motion. Motion passed.

Mr. Nicholson motioned to issue the Order of Conditions.

Mr. Habershaw seconded the motion. Motion passed.

*An abutter came forward regarding 122 Peck St. Mr. Materne explained to them that the engineer did not have the required information or a DEP number. The project was not discussed at this meeting. The engineer will be at the next meeting and any questions or concerns from abutters will be addressed at that time.

GENERAL BUSINESS

1. Shad Factory Pond – invasive water chestnut – discussion – Rachel from Save the Bay was present and stated she is working on a project at Shad Factory Pond. She is observing habitat quality at the pond. The fish ladder was installed a few years ago and she has been monitoring the fish. She noted the Division of Marine and Fisheries will be conducting testing on oxygen and nutrient levels in the pond through this summer and next summer as well. In the course of conducting her work it was discovered last summer that there is invasive water chestnut in the pond. She wanted to make the Conservation Commission aware of this and stated if it is addressed now, there is potential that it will not spread. She is willing to hand pull the plants along with her interns this summer. The majority of growth surrounds a small island in the pond. She suggested hand pulling before the nuts come out in July or early August. The pulled plants should be taken to a dry location and removed from the site. She is going out again next week. This is an annual plant and that needs to be pulled before the flowers become the nut. She also noted that she thinks there is a nutrient problem in the pond. Water samples will be taken to determine if there is an impact on river herring spawning activity. She will keep the Conservation Commission up to date.

2. Reynolds Street – culvert replacement – discussion – Mr. Materne noted Ms. Bradley went out the site and took photographs of the culvert on Reynolds Street. Ms. Bradley explained that the road is going to be resurfaced. During the process the Highway Dept. discovered 2 old collapsed culverts. Mr. Materne stated that if the town is working in a wet area they need to contact the commission first to make sure everything is okay before they start work. A letter will be sent to Mike Tyler asking him to come to the next Conservation Commission meeting. The Highway Department should explain to the commission what work they are doing and how they will address erosion control.

3. 57 Spring Street – Dumontier – Right of First Refusal - Mr. Materne noted it appears that the applicant is creating two Form A lots. It is part of a larger parcel that is in 61B. The commission agreed they had no interest in the property.

Mr. Evans motioned that the Conservation Commission not exercise their Right of First Refusal.

Mr. Nicholson seconded the motion. Motion passed.

4. Bristol County Mosquito Control – Sun Valley Golf Course – Ms. Bradley stated she had correspondence from BCMC stating they will be clearing out some of the channels on the golf course. There is no action required from the Conservation Commission.

****NOT ON AGENDA****

Mr. Pennoyer stated he received a call from Mr. Almeida regarding his property on Barney Avenue. Mr. Almeida is creating a manure management plan. He is also installing a robotic milking barn. He has contacted DEP regarding both issues. DEP went to the property and had questions regarding an area where a small barn would go. Mr. Pennoyer went to the site and noted it is not within the ILSF criteria. He feels it is Isolated Vegetated Wetlands. A letter will be sent to Mr. Almeida stating his work is in a non-jurisdictional area.

Mr. Pennoyer motioned to send a letter to Mr. Almeida stating the Conservation Commission has viewed the area that they believe to be in a non-jurisdictional area.

Mr. Nicholson seconded the motion. Motion passed.

MINUTES

Mr. Materne noted one correction to the minutes of 9/15/15. Otherwise minutes were fine.

- | | |
|-----------------------|------------------------------------|
| 1. September 1, 2015 | 3. October 6, 2015 |
| 2. September 15, 2015 | 4. October 6, 2015 – Exec. Session |

Mr. Nicholson motioned to approve the above minutes.

Mr. Evans seconded the motion. Motion passed.

INVOICES

1. W.B. Mason – office supplies – \$90.93

Mr. Nicholson motioned to submit payment for the above invoice.

Mr. Evans seconded the motion. Motion passed.

ADJOURNMENT

Mr. Nicholson motioned to adjourn the meeting at 8.00pm.

Mr. Evans seconded the motion. Motion passed.

For the Conservation Commission,



Robert Materne, Chairman