

**CONSERVATION  
COMMISSION**

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

**REHOBOTH CONSERVATION COMMISSION**  
**Meeting Minutes – March 15, 2022**

**Present:** Robert Materne, Chairman, Dave Evans, Thomas Nicholson, Krisna Prachanronarong, Matt Habershaw, Stephen Choquette, Associate Member William Morgan, Daniel Roach Conservation Agent.

**Absent:** Matt Kershaw.

**CALL TO ORDER**

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

Mr. Materne explained the appeal process for any decision that the commission make with regards to permits.

**Public Hearing and Meetings**

1. Morrissey – 72 Martin Street – ANRAD – SE60-1275

This public hearing was continued until the next meeting.

2. MassDOT – Route 44 – NOI – SE60-1278

Ms. Andrea Coates of MassDOT was present

Mr. Ken Deshais of Tetra Tech was present.

Mr. Materne stated that his concerns are siltation and salt running into the river and wetlands. Asked why storm ceptors weren't installed? How do you protect the environment from all the silt run off?

Ms. Coates Stated that they do follow policy. When they do put in catch basins, they use sediment traps and check dams. When it is a resurfacing project, we don't do that.

Mr. Materne asked wouldn't that have been the time to do it?

Ms. Coates stated that when we came before you with a paved waterway project, that would have been the time to address it.

This was discussed further.

Mr. Materne requested a maintenance schedule for this project and for the old project.

Mr. Evans stated that we could condition that they provide a maintenance schedule and that they clean the rip rap that comes off the roadway.

Ms. Coates asked would that condition be put in perpetuity so that we can keep doing that?

Mr. Materne stated absolutely.

Ms. Coates stated that she is leaving her phone number. If something isn't being done to call her.

Mr. Evans asked about the time frame in which the rip rap would be cleaned?

Mr. Nicholson stated every 5 years is standard.

Mr. Choquette asked could we ask them to notify us to let us know that they are going to be cleaning it in a certain time frame and given a record of when it has been cleaned?

Mr. Materne stated we should get a record of it.

Mr. Choquette stated he wanted the record to state what they did and what the conditions are.

Mr. Roach asked do we want this to be for the entire length of 44 in Rehoboth or just to specifically to relate to what was applied for? The have something else separate stating for the entire length?

Mr. Evans stated to condition this piece then deal with the rest of 44 separately.

Mr. Materne asked the audience for questions or concerns?

Someone asked what this application was for?

Mr. Materne explained.

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

Mr. Nicholson seconded the motion. Motion passes.

Mr. Evans made a motion to issue Orders of Conditions with the special condition on cleaning of the riprap.

Mr. Habershaw seconded the motion. Motion passes.

Mr. Materne asked why there was no filing for the work on the Reed St. bridge project?

Ms. Coates explained that that they have bridge exemptions and what that meant.

This was discussed further.

### 3. Ruggiero – No of 155 Perryville Rd. – ANRAD – SE60-1276

This public hearing was continued until the next meeting.

An abutter asked why this had been continued?

Mr. Materne explained that this was an ANRAD application and the wetland line is over 5 miles long.

Explained that the outside consultant is finishing a previous project and then will start this review. This project review will take some time because of how long the wetland line is.

The abutter was concerned that wetlands had been filled in with Phase I of this project.

Mr. Roach stated to call the office and he would go out to the site and look to see what had been done.

The abutter was also concerned with all the rivers and ponds on Phase 2 of this project. Wanted to know how they are going to build on the property?

Mr. Materne explained that the only application they could speak to is the one before the commission.

Explained what an ANRAD is. We can't discuss what might be done.

This was discussed further.

Ms. Susan Lass of 23 Homestead Ave. was present.

Ms. Lass stated she had sent an email last night to this commission and the Planning Board.

Mr. Materne stated that this public hearing had been continuance and the applicant and their representative are not here to discuss the project. We can't answer anymore questions in regards to this.

He answered the other abutters concerns in order to explain the process of the application.

Ms. Lass asked if members of the commission had received her email?

Mr. Roach stated yes.

Ms. Lass asked how many of you actually saw it? It does involve the ANRAD.

Ms. Lass asked that the commission read her email before the next meeting. She stated that she did call the office when the road was being put in and the swamp was being filled in and nothing was done. Now there are rocks along the edge of what was a swamp.

Mr. Materne stated we would review the plans and if the road goes through the wetlands, hadn't been approved, we will make sure it is looked into.

4. DuVally – 6 November Ln. – NOI – SE60-XXXX

Mr. Chris Andrade of InSite Engineering was present.

Mr. Andrade presented plans.

Mr. Materne asked how the well drilling rig was going to drill the well next to the wetlands, without disturbing the wetlands?

Mr. Andrade stated it is about 3-4' away from the edge, that is tight.

Mr. Materne stated what he proposed was on the existing wetland line put in stakes, then install a second row of erosion control at least 10' into the wetlands. When the drilling is complete the wetlands are cleaned and restored back to natural state.

Mr. Andrade stated ok.

Mr. Evans asked about the replication area, that was part of a separate filing, status.

Mr. Andrade stated that the new planting are on order for April because the original plantings did not take.

Mr. Materne asked the commission if there were any questions?

Mr. Evans asked when you do this project you are going to address the replication area from the other project, it is also on this property?

Mr. Andrade stated yes, in April.

Mr. Materne asked if the audience had any questions or concerns?

Someone from the audience asked about the stream that ran behind the property on the 2 back lots. She stated that it is not running as much as it was.

Mr. Choquette stated there is a bolder breakout wall, should there be a barrier?

Mr. Andrade stated there is a poly barrier on the septic system which wraps around.

Mr. Materne asked if it was on the plan?

Mr. Andrade stated if cross grading was allowed, the next filing is the lot next door, the bolder wall would not be needed.

Mr. Morgan stated that the siltation control must remain in place until the ground is stabilized. He had been through the site after the snow melted and there was mud everywhere and the siltation control was not installed.

Mr. Andrade stated he agreed. That is why there are notes on the entire plan.

This was discussed further.

Mr. Evans stated the siltation control needed to be fixed on the entire subdivision.

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

Mr. Nicolson seconded the motion. Motion passes.

Mr. Evans made a motion to issue Order of Conditions with the special condition of the well siltation control placement as discussed.

Mr. Nicholson seconded the motion. Motion passes.

5. DuVally – 2 November Ln. – NOI – SE60-XXXX

Mr. Chris Andrade of InSite Engineering was present.

Mr. Andrade presented plans.

Mr. Materne stated that erosion control needs to be placed at last 10' from where the well drilling rig is.

Mr. Andrade stated ok.

Mr. Materne stated to move the wetland sign from flag 75 to flag 77. Also, have both septic systems have the same grade of fill to eliminate the bolder wall.

Mr. Choquette asked if the conservation signs could be installed when they install the erosion control, to prevent a violation.

Mr. Materne stated they are supposed to. It is part of the orders.

Mr. Evans stated that siltation control is supposed to be the limit of work.

Mr. Materne asked if the audience had any questions or concerns?

A member of the audience asked if there is a project manager for the subdivision?

Mr. Andrade stated that the conservation signs have already been installed for these 2 projects.  
Mr. Evans stated to the audience member that her question could not be addressed directly.  
The audience member asked who is responsible, the developer or a project manager?  
Mr. Evans explained that when there is a violation with something that has an open Order of Conditions, we have to deal with the person who had filed the application.  
Mr. Evans made a motion to close the public hearing.  
Mr. Nicolson seconded the motion. Motion passes.  
Mr. Evans made a motion to issue Order of Conditions with the special condition of the well siltation control placement as discussed.  
Mr. Nicholson seconded the motion. Motion passes.

6. Hoyt – 201 & 205 Winthrop St. – ANRAD – SE60-1279

Mr. Materne stated that the commission did not visit the site because the gate was locked and we have to decide if this is a single-family home or a commercial site.  
Mr. Evans stated that there was an NOI filed on this property.  
Mr. Jim Hoyt of the Boys and Girls Club of Pawtucket was present.  
Mr. Bruce Hagerman of Crossman Engineering was present.  
Mr. Hagerman stated that there was an NOI filed 10 yrs. ago that proposed similar improvements of this area.  
Mr. Evans stated that the commission issued orders on that project but no work was ever done. We have no Certificate of Compliance, that needs to be resolved.  
Mr. Materne asked the commission if they wanted to consider this a single-family home or a commercial site? Do we need to send this to an outside consultant?  
The commission agreed to send this to an outside consultant.  
The commission discussed sending this to LEC Engineering as a one review consultant until the commission makes a decision on who their outside consultants will be in the future.  
Mr. Evans made a motion to send the ANRAD review to an outside consultant.  
Mr. Habershaw seconded the motion. Motion passes.

7. Hoyt – 201 & 205 Winthrop St. – NOI – SE60-XXXX

Mr. Hagerman presented plans.  
Mr. Materne asked the areas where the gravel parking is close to the BVW, how are you going to prevent it from eroding into the BVW?  
Mr. Hagerman stated the gravel parking area exist already. They are proposing to add aggregate material to make it more stable.  
Mr. Roach stated the site is flat.  
Mr. Hagerman stated he has not noticed any sediment that has come off the gravel parking lot as is exist now.  
Mr. Morgan spoke in regards to the 42 staked parking spaces. If someone needed to leave during the day, where do all the cars go that need to be moved? He is concerned that someone may drive into the wetlands.  
Mr. Hoyt explained how it has worked in the past and that this year they are going back to bus transportation, which would cause less parking for staff.  
This was discussed further.  
Mr. Choquette stated the plans stated to remove and dispose of all apparatuses, is the pool full now or is it empty?  
Mr. Hoyt stated the pool is not in use and there is no water in it. The pool is being removed.  
Mr. Hagerman requested a continuance, for the ANRAD & NOI application, until March 29, 2022.  
Mr. Evans made a motion to grant a continuance until March 29, 2022.

Mr. Habershaw seconded the motion. Motion passes.

## **General Business**

### **1. Autumn Estates – 40B – Bliss Street & RCC – Perryville Rd.**

Mr. Materne explained to the audience that if they do see what they may think is a violation that they should call the office so it can be looked into.

This was discussed further with members of the audience.

### **2. Alexandre – 2 Damascus Rd. – SE60-386 – Request for COC**

Mr. Roach stated that everything had been done according to the plan. Recommended issuing the Certificate of Compliance.

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

Mr. Nicholson seconded the motion. Motion passes.

### **3. By-Law Change/Warrant Article – Discussion/Vote**

Mr. Materne stated that the by-law changes written had been accepted by Town Counsel and will be placed as a warrant article at Town Meeting.

Mr. Morgan read over the changes he had made to the commission.

Mr. Evans made a motion to submit this version of the by-law amendment.

Mr. Nicholson seconded the motion. Motion passes.

### **4. Conservation Commissioners Updates**

- Meeting date Change

Mr. Materne stated that the meeting of April 18<sup>th</sup> needs to be changed.

- Retention Ponds

Mr. Materne stated that Mr. Rob Johnson and himself had visited retention ponds in town.

### **5. Agent Update.**

There were no updates.

## **Concerns & Complaints**

### **1. 12 Katie Drive – Concern**

Mr. Materne stated that the commission had visited the site. They were unable to check the soil because the ground is still frozen.

### **2. Pray – 46 Almeida Rd. – Ratify Enforcement Order**

Mr. Evans made a motion to ratify the Enforcement Order.

Mr. Nicholson seconded the motion. Motion passes.

### **3. DuVally – Perryville Rd.**

Mr. Materne stated that Mr. DuVally wanted to install a well before providing the commission with a replication plan.

Mr. Choquette stated that was not what the commission agreed on. There are other outstanding items there that need to be taken care of.

Mr. Materne asked Mr. Roach to tell Mr. DuVally that the planting plan needs to be submitted for approval and the turtle barrier needs to be correctly installed before the well is installed.

Mr. Choquette stated that there are still 2 piles of debris that needs to be removed.

## Violations

1. Rego – 23 Winthrop St – Enforcement Order

There was no update.

2. Alves – 29 County St – Enforcement Order

There was no update.

3. Cordeiro – 97 Salisbury St – Enforcement Order

There was no update.

4. Morrissey – 72 Martin St. – Enforcement Order

There was no update.

5. Dias – 35 Starr Ln. – Enforcement Order

There was no update.

6. 172 Summer Street - Violation

There was no update.

7. 582 Winthrop St. – Enforcement Order

There was no update.

## ADJOURNMENT

Mr. Habershaw made a motion to adjourn the meeting.


Mr. Nicholson seconded the motion. Motion passes.

Meeting adjourned at 8:47 pm.

For the Conservation Commission



Robert Materne, Chairman



David Evans, Vice-Chairman