

**CONSERVATION
COMMISSION**
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Robert Materne, Chairman
David Evans, Vice Chair
Thomas Nicholson
Krisna Prachanronarong
Stephen Choquette
Matthew Habershaw
Matt Kershaw
Sara Huber, Assoc. Mbr
Daniel Roach, Agent

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REHOBOTH CONSERVATION COMMISSION
Meeting Minutes – March 16, 2021

Present: Robert Materne, Chairman, Dave Evans, Thomas Nicholson, Krisna Prachanronarong, Matt Habershaw, Matt Kershaw, Stephen Choquette, Daniel Roach Conservation Agent.

Absent: Associate Member Sara Huber.

CALL TO ORDER

Mr. Materne called the meeting to order at 7:00 PM.

General Business

1. Meeting Schedule Change – March 30th, April 13th & May 4th

Mr. Materne explained why the meeting needed to be changed. Asked if there were any issues with the date changes?

The commission agreed to the date changes.

Mr. Habershaw made a motion to change the meeting dates.

Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes

Public Hearing and Meetings

1. Lillie Mae – 367 Anawan Street - RDA

Mr. Roach stated that they had requested a continuance.

2. Costa – 196 Homestead Ave – NOI – SE60-1220

Mr. Brandon Faneuf of EcoSystem Solutions was present.

Mr. Faneuf requested a continuance until March 30, 2021.

Mr. Evans made a motion to grant a continuance until March 30, 2021.

Mr. Habershaw seconded the motion. Roll call vote; all replied aye. Motion passes.

3. Braddock – 208 Brook Street NOI – SE60-1221

Mr. Chris Andrade of InSite Engineering was present.

Mr. Andrade presented plans.

Mr. Materne stated that the problem is with NHESP. They wanted to review this application. It is in their hands right now. He felt that until we hear from NHESP and they clear the property, we need to wait.

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Mr. Andrade requested a continuance until March 30, 2021.

Mr. Evans made a motion to grant a continuance until March 30, 2021.

Mr. Habershaw seconded the motion. Roll call vote; all replied aye. Motion passes

4. Markham – 90 Reynolds Ave – NOI – SE60-1224

Mr. Brandon Faneuf of EcoSystem Solutions was present.

Mr. Faneuf presented revised plans based on comments from the commission.

Mr. Materne stated that his plans are different from what is being presented. Which plans did NHESP review?

Mr. Faneuf stated the revised plans date March 11, 2021.

Mr. Materne stated that NHESP stated they have no issues. Any work outside of the clearing would be an issue later.

Mr. Faneuf stated that is understood.

Mr. Materne asked the commission if there were any questions, there were none. Asked the audience if there were any questions, there were none.

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

Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.

Mr. Evans made a motion to issue Order of Conditions with the revised plans dated March 11, 2021.

Mr. Habershaw seconded the motion. Roll call vote; all replied aye. Motion passes

5. Correia – 8 Johnnie's Way – NOI – SE60-1225

Mr. Chris Andrade of InSite Engineering was present.

Mr. Andrade presented revised plans based on comments from the commission.

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

Mr. Nicholson asked if the pool was going to be built along with the house?

Mr. Andrade replied doubtfully.

Mr. Nicholson stated if we approve it this way, they're not going to get their COC until the pool is done.

Mr. Andrade stated that the pool is not part of the immediate plans. Their goal is to put it in in 1-2 years.

Mr. Materne asked if there were any questions from the audience?

Ms. Beverly Baker of the Cemetery Committee was present.

Ms. Baker explained that the committee went out to the site with the Historical Committee and the Blackstone Valley Historical Society. Explained what they did and what they found.

The board discussed this further.

Mr. Materne stated that a cemetery is not a wetlands issue.

Ms. Baker explained that she had spoken with the developer, Mr. Ferreira. Explained how they would proceed. Explained what will happen if something is found.

The board, MS. Baker and Mr. Andrade spoke in regards to whether or not the contractor is aware of this process.

Mr. Materne explained that the Conservation Commission can not hold up this application if it doesn't have an impact on the wetlands.

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

Mr. Nicholson seconded the motion. Roll call vote; all replied aye. Motion passes.

Mr. Evans made a motion to issue Order of Conditions with the revised plans.

Mr. Nicholson seconded the motion. Roll call vote; all replied aye. Motion passes.

6. Silva – 29 Summer Street – NOI – SE60-1230

Mr. Materne stated he was unable to attend the site walk. Turned the public hearing over to the Mr. Evans, the vice chairman of the commission.

Ms. Karen Beck of Principe Engineering was present.

Ms. Beck presented revised plans based on comments from the commission.

Mr. Evans stated that the commission had gone out to the site on Sunday. The A series of flags are missing. We were unable to verify that line. There is an exchange pipe in the driveway. It is not shown on the plans. Asked if she could tell the commission anything about the pipe?

Ms. Beck stated that she was in agreement that the A series of flags is not present. That's on the other lot. It is a fairly well-defined wetland edge. It can be flagged. It's on the other side of the driveway as well. As far as the pipe, that goes between the two wetland areas underneath the driveway. She didn't know when that was installed. She did see it present. It's on the other lot. We will not be using that driveway. She did not know if there were permits associated with it.

Mr. Evans asked Mr. Roach if he knew anything about it?

Mr. Roach stated he did not find anything in regards to it.

Mr. Evans asked Ms. Beck if she could tell the commission anything about the area on the plans labeled PVP?

Ms. Beck stated that she knew it was labeled on the plan as PVP. If you look at the MassGIS mapping it is not indicated to be a potential vernal pool. It is a very shallow flooded area. When she was out in the field she did not hear or see anything that would indicate that it was a functioning vernal pool. She didn't necessarily go to that extent in terms of trying to determine it. It could function as one but the PVP is not based upon something she determined out in the field.

Mr. Evans stated that the way it looks now it looks like an upland island within the BVW. If there is no intention of documenting that as a vernal pool, we need to have those flags removed and make the entire area BVW.

Ms. Beck stated ok.

Mr. Evans stated that the flags around 27, 28, and 29 were illegible. The commission didn't know what numbers they were.

Ms. Beck asked if the commission wanted them relabeled?

Mr. Evans replied yes.

Mr. Evans stated that Mr. Hewitson passed away. If you are using his delineation, we want to be mindful of that. Things often change. He wanted to find out more about is related to the stream itself. He knew that on the USGS quad that it is not shown as a blue line. But the fact that the exchange pipe is so large it's draining a lot of water. When we were there, we saw evidence of channelization. Is there a possibility that it is a perennial stream? This goes south east of the house. Near the PVP.

Mr. Materne stated if you are not comfortable with it, we can request that they do stream stats and calculate the size of the watershed. If the watershed meets the requirements of a perennial stream, then it could be a perennial stream. If it doesn't meet the requirements then it is an intermittent stream.

Mr. Evans stated he would like to hear from the board. We will be looking at this later. We need the flag numbers put on in a legible way and the A flags need to be reestablished.

Mr. Materne stated that there needs to be wetland signs and a slurry pit for the well.

Mr. Evans asked the members of the commission that attended this site walk if they felt that this is a perennial stream and worth exploring or not.

Mr. Habershaw stated he felt it was worth looking into.

Mr. Kershaw and Mr. Choquette agreed.

Mr. Materne stated it does flow into the Beaver Dam Brook, which is a perennial stream.

Mr. Evans reviewed what is needed:

- Stream status
- Culvert needed to be located on the plan
- Numbering on the flags west of driveway
- Reestablish the A series flags that are along the roadway
- Slurry pit for the well.
- Place conservation signs at flags 28 and 31
- Remove the P series of flags

Ms. Beck requested a continuance until March 30, 2021.

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Mr. Evans asked if there were any questions from the audience, there were none.
Mr. Habershaw stated that Rehoboth is in MA not RI, that should be changed on the plan.
Mr. Choquette stated the plan should state the MA guideline not RI.
Mr. Habershaw made a motion to grant a continuance until March 30, 2021.
Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.

7. Braddock – 208 Brook Street – ANRAD – SE60-1226

Mr. Chris Andrade of InSite Engineering was present.
Mr. Andrade requested a continuance until March 30, 2021.
Mr. Evans made a motion to grant a continuance until March 30, 2021.
Mr. Habershaw seconded the motion. Roll call vote; all replied aye. Motion passes.

8. Viverios – 560 Tremont Street – ANRAD – SE60-1226

Mr. Mark Mariano of Oakhill Engineering was present.
Mr. Mariano presented plans.
Mr. Evans stated that the commission went out to the site. The wetland line is accurate. There were some flags off site, did you want them verified?
Mr. Mariano stated yes, it may impact the driveway.
Mr. Evans asked the commission if there were any questions, there were none.
Mr. Evans asked if the audience had any questions, there were none.
Mr. Evans stated that there were some trees marked in the field. Asked if those were the ones that are going to be taken down at this point?
Mr. Mariano stated that he hasn't seen them. He will review that.
Mr. Evans stated they can not do anything until they have Orders of Conditions.
Mr. Habershaw made a motion to close the public hearing.
Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.
Mr. Habershaw made a motion to issue Order of Resource Area Delineation.
Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.

9. MCS Realty – 497 Tremont Street – ANRAD – SE60-1229

Mr. Mark Mariano of Oakhill Engineering was present.
Mr. Mariano presented plans.
Mr. Evans stated that the commission had visited the site and verified both series of flags. There is an easement, on the Algonquin Gas side there are some flags that could have been put there. Is that going to relate to the project?
Mr. Mariano stated no.
Mr. Evans explained that because the site was large the commission that visited the site split up. Connect flag 44 & 46, lose flag 45.
Mr. Habershaw stated that his group verified flags 9-23, it is accurate.
Mr. Evans asked if there were any questions from the commission, there were none.
Mr. Evans asked if there were any questions from the audience, there were none.
Mr. Habershaw made a motion to close the public hearing.
Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.
Mr. Habershaw made a motion to issue Order of Resource Area Delineation.
Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.

10. 221 Tremont Street – RDA

Mr. Materne stated that the commission made a mistake. We didn't post the item on the agenda. So we can't close the hearing.
Mr. Mark Mariano of Oakhill Engineering was present.

Mr. Mariano requested a continuance until March 30, 2021.

Mr. Evans made a motion to grant a continuance until March 30, 2021.

Mr. Habershaw seconded the motion. Roll call vote; all replied aye. Motion passes.

10. Provost – 10 Blue Herron Dr. – NOI – SE60-1231

Mr. Habershaw recused himself.

Mr. Peter Lavoie of Landmark Site Design was present.

Mr. Lavoie presented plans.

Mr. Materne stated that the wetland line was verified by an ANRAD. Asked the commission if there were any questions, there were none. The signs look like they are located on a tree line, is that correct?

Mr. Lovie replied yes.

Mr. Materne stated he did not feel that it was necessary to put the signs where they are. Asked if the commission felt the signs should be on the wetland line or the tree line? There is no point in putting the signs on a lawn.

Mr. Lavoie stated that the reason he placed the signs there was because the location to the wetland line the vegetation is very thick. He felt that no one is going to clear it.

Mr. Materne asked if there were questions from the audience, there were none.

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

Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.

Mr. Evans made a motion to issue Order of Conditions.

Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.

11. Provost – 14 Blue Herron Dr. – NOI – SE60-1232

Mr. Habershaw recused himself.

Mr. Peter Lavoie of Landmark Site Design was present.

Mr. Lavoie presented plans.

Mr. Materne asked if there were any questions from the board, there were none.

Mr. Materne asked if there were any questions from the audience, there were none.

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

Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.

Mr. Evans made a motion to issue Order of Conditions.

Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.

12. Beagan – 113 County St. - RDA

Ms. Rachel Smith of Otis Dyer's office was present.

Mr. Materne stated that the commission did not visit the site.

Ms. Smith requested a continuance until March 30, 2021.

Mr. Evans made a motion to grant a continuance until March 30, 2021.

Mr. Habershaw seconded the motion. Roll call vote; all replied aye. Motion passes.

13. Powis – 11 County St. – NOI – SE60-XXXX

Mr. Peter Lyons of Collins Engineering was present.

Mr. Materne stated that the commission did not visit the site.

Mr. Lyons requested a continuance until March 30, 2021.

Mr. Evans made a motion to grant a continuance until March 30, 2021.

Mr. Habershaw seconded the motion. Roll call vote; all replied aye. Motion passes.

14. Chaves – 221 Winthrop St. – RDA

Ms. Rachel Smith of Otis Dyer's office was present.

Mr. Materne stated that the commission did not visit the site.

Ms. Smith requested a continuance until March 30, 2021.

Mr. Evans made a motion to grant a continuance until March 30, 2021.

Mr. Choquette seconded the motion. Roll call vote; all replied aye. Motion passes.

General Business

1. 82 Cedar Street – Replication Area Discussion – Request to Approve as Vernal Pool

Mr. Materne stated that the commission has spoke with Mr. Brandon Faneuf of EcoSystem Solutions.

Mr. Faneuf is going to discuss with his client as to whether or not to certify this as a vernal pool or to ask for a COC for the replication area. The discussion was that no matter which the client choose it is going to take 2 years.

2. Pelchat – 158 Anawan St. – SE60-1067 – Request for COC

Mr. Materne explained that Mr. Roach, Mr. Evans and himself had been out to the stie. The replication area is well done.

Mr. Bob Berube of Pro-Line Engineering was present.

Mr. Berube explained why this was requested and the history of the property.

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

Mr. Habershaw seconded the motion. Roll call vote; all replied aye. Motion passes.

3. Diiori – 50 Barney Ave. – SE60-1025 – Request for COC

Mr. Roach stated that all the proper paperwork was submitted on time. He visited the site. Everything was done according to the plan. Recommended granting the Certificate of Compliance.

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

Mr. Habershaw seconded the motion. Roll call vote; all replied aye. Motion passes.

4. 2020 Annual Report – Discussion/Vote

Mr. Materne gave some edits.

Mr. Evans made a motion to accept the changes made.

Mr. Nicholson seconded the motion. Roll call vote; all replied aye. Motion passes.

5. Agent Update

Mr. Roach updated the commission on what Authorization to Proceeds he had issued since the last meeting.

Concerns & Complaints

1. 582 Winthrop Street – Concern– Working Past Scope of RDA

Mr. Roach stated he had been to the site to see if it was dry yet. It is still wet. Asked if the commission wanted to wait for the site to be dry before they move anything out of the wetlands?

Mr. Materne asked what the commission thought?

Mr. Habershaw stated to wait until it is dries out.

Mr. Nicholson stated they should have it done by June 1st.

2. 72 Martin Street – Concern

Mr. Roach stated he had spoken to the owner. Mount Hope Engineering and Mr. Brandon Faneuf have both been out to the site. We should be receiving plans shortly.

3. 97 Salisbury Street – Concern

Mr. Materne stated that the commission had put this site walk off.

Mr. Roach stated he spoke with the owner on Monday. The owner is going to give the commission some dates and times he is available for a site walk so the commission can plan accordingly.

4. 579 Winthrop Street – Baasch – Concern

Mr. Materne stated that Mr. Choquette and himself went to the site today. The flagging had been installed. They marked out the buffer zones. They have not marked the riparian zone. We are going to have to do a site walk with Mr. Larry Auburn and the potential buyer. Now that they marked out the wetlands, the rocks that were installed are an alteration on both the wetlands and the riparian zones. That has to be restored or an Amended Order of Conditions has to be filed; in order for them to be able to build a replication area and consider the number of rocks they put in as a taking of the riparian zone. There is also an excavated area that needs to be filled. There's another area that has been disturbed. That area has to be seeded over and restored.

Mr. Choquette stated they are still moving forward. The buyer is ready for a meeting, when we can go back out to the site.

Mr. Materne stated the commission needs to go out on a site walk, everyone needs to see this. We have to decide if it's going to be fixed under an Enforcement Order or Amended Order of Conditions.

5. 23 Winthrop Street – Concern

Mr. Roach stated he had walked the site with the Building Inspector and the Fire Chief. He has spoken with the owner and explained where the wetlands are, that there's a plan. There was some cutting that was happening where the wetlands were, that has been stopped. The owner has stayed within the already disturbed area.

Mr. Materne asked if all the structures on the property were within the wetland line?

Mr. Roach explained that they were at about 50'.

Mr. Materne asked if there was a berm there now?

Mr. Roach stated they did not build a berm.

Mr. Materne stated that if they have animals, there has to be a way to stop the manure from flowing into the wetlands.

Mr. Roach stated that this is going to be something that is checked on with the Board of Health Agent, they do have animals out there.

Mr. Materne stated that he would like the commission to visit the site.

6. 27 Starr Lane & 35 Starr Lane – Concerns

Mr. Materne stated that Mr. Choquette had been out to the site and that everything they were required to do has been done.

Mr. Choquette stated that is correct.

Mr. Evans made a motion to lift the Enforcement Orders on both properties.

Mr. Habershaw seconded the motion. Roll call vote; all replied aye. Motion passes.

Meeting Minutes

1. January 5, 2021

Mr. Materne gave edits.

Mr. Evans made a motion to approve the above-named meeting minutes as edited.

Mr. Habershaw seconded the motion. Roll call vote; all replied aye. Motion passes.

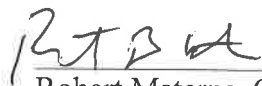
ADJOURNMENT

Mr. Evans made a motion to adjourn the meeting.

Mr. Habershaw seconded the motion. Roll call vote – all replied aye. Motion passes.

Meeting adjourned at 8:37 pm.

For the Conservation Commission

Handwritten signature of Robert Materne in black ink, appearing as 'R M A' with a stylized flourish.

Robert Materne, Chairman

David Evans, Vice-Chairman