

**CONSERVATION
COMMISSION**

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OFFICE OF THE TOWN CLERK
REHOBOTH, MA

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 29, 2022

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

Absent: Matt Habershaw.

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.

General Business

1. Change Meeting Date – 4/19/2022

Mr. Materne stated that the meeting date needs to be changed.

The commission discussed what dates would work best.

The commission agreed to change the meeting dates to 4/12/2022.

Mr. Evans made a motion to amend the meeting date schedule for the April 19, 2022 meeting will be held on April 12, 2022.

Mr. Prachanronarong seconded the motion. Motion passes.

Public Hearing and Meetings

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

This public hearing was continued until the next meeting.

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

This public hearing was continued until the next meeting.

3. DuVally – 6 November Ln. – NOI – SE60-1281

Mr. Materne explained that the commission closed the public hearing without a DEP# at their last meeting.

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

Mr. Nicholson seconded the motion. Motion passes.

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

Mr. Nicholson seconded the motion. Motion passes.

4. DuVally – 2 November Ln. – NOI – SE60-1282

Mr. Materne explained that the commission closed the public hearing without a DEP# at their last meeting.

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

Mr. Nicholson seconded the motion. Motion passes.

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

Mr. Nicholson seconded the motion. Motion passes.

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

This public hearing was continued until the next meeting.

6. Hoyt – 201 & 205 Winthrop St. – NOI – SE60-1283

This public hearing was continued until the next meeting.

7. Brown – 131 Agricultural Ave. – NOI – SE60-1280

Mr. Peter Lavoie of Landmark Site Design was present.

Mr. Materne stated that the commission had visited the site, the wetland line is accurate.

Mr. Lavoie presented revised plans.

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

Mr. Evans asked if there was a variance from the Board of Health?

Mr. Lavoie stated they have a hearing in April.

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

Mr. Nicholson seconded the motion. Motion passes.

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

Mr. Nicholson seconded the motion. Motion passes.

8. Mello – 31 Hybrid Dr. – NOI – SE60-XXXX

Mr. Chris Andrade of InSite Engineering was present.

Mr. Andrade presented plans.

Mr. Materne asked how the haybales around the well would not be run over by equipment? Place the haybales 10' off the wetland line.

Mr. Andrade stated ok.

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

Mr. Nicholson asked you are proposing 10' separation from your limit of disturbance and the wetland line, except for flag J78, is there a reason for that?

Mr. Andrade stated because it was a straight line. We can pull it back to the 10' mark.

Mr. Morgan asked if the conservation signs would be installed before any work starts?

Mr. Andrade stated yes.

Mr. Materne asked if the audience had questions or concerns, there were none.

Mr. Andrade requested a continuance until April 12, 2022.

Mr. Evans made a motion to grant the continuance until April 12, 2022.

Mr. Choquette seconded the motion. Motion passes.

9. Martin – 5 Clinton Dr. – NOI – SE60-XXXX

Mr. Chris Andrade of InSite Engineering was present.

Mr. Andrade presented plans.

Mr. Materne stated that the wetland flags on the plan do not correspond with the wetland flags in the field. That needs to be fixed. Part of the garden and the shed are in the wetlands based on the reflagging.

Mr. Andrade requested a continuance until April 12, 2022.
Mr. Evans made a motion to grant the continuance until April 12, 2022.
Mr. Choquette seconded the motion. Motion passes.

General Business

1. Possible Peer Review Wetland Consultant – LEC

Ms. Claire Hoozeboom of LEC Consultants was present.
Ms. Hoozeboom gave a brief overview of herself and the company in regards to wetland consulting.
Mr. Materne explained what the commission needs for ANRAD reviews. Asked how many botanists were on LEC's staff
Ms. Hoozeboom stated 11.
Mr. Materne asked if they were qualified to do an ANRAD review?
Ms. Hoozeboom stated absolutely.
This was discussed further.

2. Hoyt- Winthrop St – SE60-904 – Request for COC

Mr. Roach stated that work had never started on this project.
Mr. Evans made a motion to issue a Certificate of Compliance.
Mr. Nicholson seconded the motion. Motion passes.

3. Salisbury – 70 Anawan St. – SE60-789-Request for COC

Mr. Roach stated that all work had been done according to the plans. Recommended issuing the COC.
Mr. Evans made a motion to issue a Certificate of Compliance.
Mr. Nicholson seconded the motion. Motion passes.

4. Rehoboth Highway – Town Wide – SE60-1138 – Request for 3 yr. Extension

Mr. Evans made a motion to grant the request for a 3-year extension.
Mr. Nicholson seconded the motion. Motion passes.

5. Shabshelowitz – 322 Fairview Ave. – SE60-259- Request for COC

Mr. Evans made a motion to issue a Certificate of Compliance.
Mr. Nicholson seconded the motion. Motion passes.

6. Conservation Commissioners Updates

• Greer Farm Property

Mr. Materne stated that the town had closed on this property and now owns the property.

• Eagle Scout Project – Bat Houses

Mr. Materne spoke in regards to an Eagle Scout candidate how had built bat house and donated some to the town.

7. Agent Update.

Mr. Roach updated the commission on what Authorizations to Proceed had been done since last meeting.

Concerns & Complaints

1. 12 Katie Drive – Concern

Mr. Materne stated that the commission visited the property. There is definitely a violation.
Ms. Maria Cotter of 12 Katie Dr. was present.
Mr. Cotter, the property owner's son, was present.

Mr. Evans stated that it will take a long time to resolve the issue. We are going to come up with the best plan to resolve it. Explained that the reason an Enforcement Order would be issued is a legal mechanism, we are not trying to be hard on you. We have to establish Conservation Commission control over the property. We will need to figure out where the resource areas are and the best way to get the fill out of the resource area.

Mr. Cotter stated he had that in process already.

Mr. Materne stated to no do any work yet.

Mr. Cotter stated he hasn't he's just preparing to get the fill out.

Mr. Materne stated that the Enforcement Order gives us the chance to work together. You will need a botanist or a biologist to go out to the property and find the wetland line, based on soils. Once we have the wetland line delineated, we can move forward from there.

Mr. Evans made a motion to issue an Enforcement Order.

Mr. Nicholson seconded the motion. Motion passes.

2. Katie Drive – Concern

Mr. Materne stated that the property next door to 12 Katie Dr. had some piles that needed to be taken care of. Asked the commission what they wanted to do?

Mr. Nicholson stated that there was a large pile of brush in the middle of the backyard, a pile of brush and slash that was leaning onto this property in the wetlands.

Mr. Choquette stated that home owner needs to come in before the commission so we can speak with them. Send them a certified letter to let them know.

3. Clinton Dr.

Mr. Materne stated they originally applied for a 12' driveway. The entire roadway has been widened by 4' and goes through the replication area, on the entire roadway.

Mr. Choquette stated to Mr. Roach that he would need to find out if this is a home owners association and have them come to a meeting as soon as possible. When they excavated for the roadway, they pushed into the wetlands instead of away from the wetlands. They didn't file with the commission to do this work. The conservation signs are on the ground or lose, those will need to be reinstalled.

4. Walter Munroe Conservation Area.

Mr. Evans spoke in regards to when the Walter Monroe Conservation area was first opened. The commission hired Mr. Hoderny to go in and cut the grass and underbrush. Now there is an invasive species growing in there. Asked how the commission felt about reaching out to Mr. Hoderny and have him cut the areas back again. Then come up with a plan as to how we maintain the area in the future.

Mr. Materne stated he didn't want to do that until we find out the right way to do that. There is a right time to mow and maintain the area, for the wildlife management of the property.

Mr. Evans stated he would research this.

Mr. Materne stated that the town is mowing the right of way.

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.

8. Foley – 55 Old Fall River Rd. – Enforcement Order

There was no update.

9. Pray – 46 Almeida Rd. – Enforcement Order

Mr. Materne asked Mr. Roach if DEP had contacted him?

Mr. Roach stated yes, Mr. Mark Bartlow is in the process of getting someone out to the site.

Mr. Materne asked if DEP had a copy of the Enforcement Order?

Mr. Roach stated yes. Stated that the owner had contacted Mr. Brandon Faneuf of EcoSystem Solutions.

General Business

8. LEC

Mr. Choquette asked if Ms. Hooqeboom had a WBE, Woman-Owned Business Enterprise. Asked if that would benefit the town in anyway to get grants.

Mr. Nicholson stated that not from hiring one. To be a WBE had benefits.

This was discussed further.

ADJOURNMENT

Mr. Evans made a motion to adjourn the meeting.

Mr. Nicholson seconded the motion. Motion passes.

Meeting adjourned at 8:06 pm.

For the Conservation Commission


Robert Materne, Chairman

David Evans, Vice-Chairman