

CONSERVATION  
COMMISSION  
148 Peck Street  
Rehoboth, MA 02769  
(508) 252-6891 Telephone  
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TOR 3-22-17  
Robert Materne, Chairman  
David Evans, Vice Chair  
Thomas Nicholson  
Krisna Prachanronarong  
Stephen Choquette  
Matthew Habershaw  
Scott Pennoyer  
Matt Kershaw, Assoc. Mem.

**REHOBOTH CONSERVATION COMMISSION**  
**Meeting Minutes – September 20, 2016**

**Present:** Robert Materne, David Evans, Thomas Nicholson Scott Pennoyer, Krisna Prachanronarong, Matt Habershaw, Stephen Choquette, Matt Kershaw-Associate Member

Leeann Bradley, Conservation Agent

**Absent:**

**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. 72 Francis St. - Rodrigues – BVW/Buffer Zone clearing – A reminder was sent to the applicant one month ago, but Ms. Bradley has not yet heard from them.
2. Manitook Estates – Administrative Consent Order - No new information other than erosion control is in place.
3. Lot 10 Plain St. – Vieira – EO lifted – Revisit in June 2016 – The commission will contact the applicant in the spring to inspect restoration.
4. One Linden Lane – Martel – site clearing into the wetlands outside scope of OC – No new information
5. Map 63, Lot 12 Fairview Avenue – Reuter – clearing within BVW and/or buffer zone. Mr. Daryl Reuter, applicant, and Mr. John Oliveira, contractor, were present. Mr. Materne stated the commission went to the property. They observed cutting in the resource area. The main concern is the way the project was started without the commission knowing about it first. Mr. Evans added they have fairly limited experience with kind of violation. Ms. Bradley did some research and came up with a memorandum describing what happened. The memorandum discussed recommendations which Mr. Evans read aloud. He asked the commission for questions and/or comments with regard to Ms. Bradley's recommendations. The commission agreed with her recommendations. Mr. Evans stated that per Ms. Bradley's recommendation the Conservation Commission will issue a Cease and Desist. All work will stop until they get DCR to come out and make their recommendations. He added that the area of greatest concern to the commission is the stream crossing. Once DCR makes their recommendation they can then proceed.

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Mr. Pennoyer motioned to adopt Ms. Bradley's memorandum recommending an Enforcement Order which will remain in place until the Conservation Commission, DCR and the applicant can come to an agreement.

Mr. Nicholson seconded the motion. Motion passed.

Mr. Materne asked the commission for their recommendation regarding the logs that are already on the lot by the road. The commission had no wetland concerns. Mr. Materne advised the applicant and the contractor that he can take those logs off the property and nothing else. The applicant and contractor agreed.

## **PUBLIC HEARINGS & MEETINGS**

1. 23 Round Farm Road – Manny Maciel – NOI – SE60- The applicant, Mr. Maciel and Mr. John Caponigro, excavator/contractor were both present. Mr. Caponigro stated they are excavating for a 40' x 30' garage and hope to stabilize it as soon as possible. Mr. Materne stated the commission made a visit to the property and verified the flag line. New hay bales need to be installed per the plan. Ms. Bradley stated they do not have a DEP number yet. The public hearing cannot be closed until the DEP number is received. Mr. Materne stated they can go ahead but need the DEP number before they can issue the Order of Conditions. They will need to ask for a continuance if the public hearing to the meeting of October 4, 2016. Mr. Materne stressed that erosion control must be in place before they begin work. Ms. Bradley will need to inspect the erosion control measures.

Mr. Evans motioned to grant a continuance of the public hearing.

Mr. Nicholson seconded the motion. Motion passed.

## **GENERAL BUSINESS**

1. Tonya Brainsky – wetland consultant discussion – Ms. Brainsky submitted her resume to the commission. They took a few moments to review it. Mr. Evans began by stating the commission needs someone who knows soil. He added that it is okay if she feels big jobs are too much. Ms. Brainsky stated she has done some big jobs with 500 flags. Mr. Materne added consultants are hired for 90% of their ANRAD's. He asked what kind of equipment she has to produce plans since many times plans need to be changed. Ms. Brainsky stated she does not have the capability to produce plans at this time. Mr. Materne recommended to the commission that they should add Ms. Brainsky to the list of wetland consultants. The commission agreed.

## **MINUTES**

1.

## **INVOICES**

1. MACC Yearly Dues - \$594.00

Mr. Evans motioned to submit payment.

Mr. Nicholson seconded the motion. Motion passed.

## **ADJOURNMENT**

Mr. Evans motioned to adjourn the meeting at 7:35.

Mr. Nicholson seconded the motion. Motion passed.

For the Conservation Commission,

  
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Robert Materne, Chairman