

**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 – August 16, 2016

Present: Robert Materne, David Evans, Scott Pennoyer, Krisna Prachanronarong, Matt Habershaw, Stephen Choquette, Matt Kershaw-Associate Member
Leeann Bradley, Conservation Agent

Absent: Thomas Nicholson, Devin Escobar-Associate Member

CALL TO ORDER

Mr. Materne called the meeting to order at 7:01 PM. Pledge of Allegiance recited at 7:02 PM.

CONCERNS AND COMPLAINTS

CURRENT ISSUES

1. One Linden Lane – Martel – site clearing into the wetlands outside scope of OC – Mr. Rob Davis from Insite Engineering was present on behalf of the applicant, Mr. Karl Martel. Mr. Davis stated Mr. Martel was expected to attend the meeting but would be happy to begin his presentation now. Mr. Davis stated the wetland line and limit of disturbance has been re-staked. Erosion control is now in the correct location. Mr. Materne and Mr. Prachanronarong went out to the site and noted the damage was not that great. The area was cleared beyond the limit of work. It is a restoration project not replication. There was some digging in the BVW. Mr. Davis went out there and made sure the erosion control was correctly installed since the site visit on Sunday and the flags are now in the correct location. The wetland has to be restored. Mr. Martel has also encroached on the abutter's property. Mr. Materne instructed Mr. Davis that the applicant will need to replant vegetation in-kind by the end of September to the beginning of October. Mr. Martel arrived at the meeting approximately 7:45. Mr. Materne reviewed with Mr. Martel the instructions on the Order of Conditions. He stated the instructions were not followed regarding placement of hay bales and the flag line was not properly installed. He added the boulders must also be removed for correct placement of erosion control. Mr. Martel will also need to restore the abutter's BVW and will need to notify the abutter of the alteration. Mr. Evans informed Mr. Martel that the Conservation Commission is a fairly sympathetic board and is willing to work with people. He is aware Mr. Martel did not know exactly what was going on but feels the excavator knew exactly what he was doing. The excavator, who works in Rehoboth, had a plan but no authorization to proceed. He feels the excavator threw Mr. Martel under the bus. Mr. Materne reviewed with Mr. Martel what must be done by the second site walk in October. He reminded Mr. Martel the excavator operated outside the limit of work and cut into the swale. The swale is overgrown and he is not sure it will even work any longer. The swale needs to be cleaned up but feels it is the subdivision's concern. Ms. Bradley stated she has not yet issued the Authorization to Proceed. She will visit the site after Mr. Martel completes the work. Mr. Materne does not feel the project should be held up. Removing the boulders needs to be done right away. Ms. Bradley

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informed Mr. Martel that once the boulders are removed and erosion control is in place to notify her and she will make a site visit. She will then issue the Authorization to Proceed. Mr. Davis brought up one other issue. He stated that Mr. Martel wants to shift the house and pool 15' to the Southeast. He submitted revised plans and reviewed them with the commission. The house and pool will now be parallel to the wetlands. The Conservation Commission had no problem with this change.

2. 11 Old Providence Road, 25 & 29 Fall River Ave. – Raposo – Ms. Bradley spoke to Mrs. Raposo and the barrier will be in place within the next few weeks.

3. 72 Francis St. - Rodrigues – BVW/Buffer Zone clearing – No new information

4. Manitook Estates – Administrative Consent Order - No new information

5. Lot 10 Plain St. – Vieira – EO lifted – Revisit in June 2016 – No new information.

6. Crestwood Country Club - 90 Wheeler Street – Moniz - C&D – Removing material from pond – Mr. Materne noted work on the pond by Wheeler St. is almost finished. It looks like it is all set.

7. Sun Valley Golf Course – No new information

PUBLIC HEARINGS & MEETINGS

GENERAL BUSINESS

1. Agricultural Avenue Property – discussion with Dave Perry – Selectman, Dave Perry was present. The Conservation Commission requested the Board of Selectmen not sell this property. It is 23 acres and landlocked on the Attleboro line. It was put out to bid with, with a bid of \$10,000.00. The town would not accept that offer. They feel it is best to keep it as town land not Conservation Commission land. If it goes out to bid again they will notify the commission first for their input. Mr. Materne stated the commission did not know the property was up for bid until Selectman Vadnais called the commission. Mr. Perry does not believe a policy is currently in place to notify any board of available land. Mr. Materne stated there is renewed interest in keeping available land as open space. He asked what changed their view in not offering the property to the Conservation Commission. Mr. Perry stated this property was taken for tax purposes and was put on the auction block for bid. There was no discussion about running it by other departments. He added this may be a fault that needs addressing. Other parcels were sold for \$500.00 each, and are mostly cedar swamps. Mr. Perry added that if the Board of Selectmen felt this land could be beneficial to the Conservation Commission it would be offered to them first. He reminded the commission it is still town land, it is not going to be sold without offering it to the Conservation Commission first. Mr. Perry will also suggest at the next Board of Selectmen meeting that they adopt a policy that no matter what land goes up for sale it should be offered to different boards first. He added it has been a long time since public land has gone up for auction. This land was taken for tax title purposes. Mr. Perry admitted the Board of Selectmen does not currently have a policy in place regarding public land sales. They did not receive an acceptable bid on the land the first time around. The Board of Selectmen did not want to let the parcel go even though it is mostly wetlands. It is only accessible by the person that bid on it. The land is worth approximately \$35,000.00 and the Board of Selectmen did not want to sell it for \$10,000.00. Mr. Perry stated in the future, parcels will not go out for public auction unless someone requests to buy it. It will then be an advertised public bid. At that time the commission will be notified. Mr. Perry stated that going forward any town land that is being sold will be brought to the attention of the Conservation Commission. Mr. Materne thanked Mr. Perry.

2. Town Car – Mr. Perry discussed acquiring the Health Agents old vehicle and the Animal Control vehicle no longer in use for the Conservation Commission. Mr. Perry stated that REMA is also interested in the vehicles. Mr. Perry stated he spoke to the town mechanic who will submit a written report on the condition of both vehicles but feels they are both junk. The pick-up has a rotted frame. The Health Agents old car needs extensive repair. Mr. Perry stated that for safety reasons he would not recommend giving those vehicles to anybody. Mr. Materne stated Mr. Evans suggested that the Conservation Commission buy a car for the commission and ask the town chip in a certain percentage so that the town can use it too. Mr. Perry stated he did this in another town where the Conservation Commission purchased a car with their funds. He stated that if the agent is out in their own vehicle and something happens such as an emergency or an accident, now it is a private vehicle being used for the town. This sets up a whole set of different circumstances. There is wear and tear on the agents own vehicle. Mr. Perry suggested looking for a used pickup truck and putting a request for bid out for a particular vehicle model and make, mileage etc...that will suit their needs. It will be more affordable than buying a new truck. Mr. Materne stated that in the last 5 years Ms. Bradley has never asked to be reimbursed for her car. He feels it is time the town provided a car for her. Mr. Pennoyer suggested having a workshop regarding acquiring a potential vehicle for Ms. Bradley. Mr. Perry feels the town nurse and REMA should have their own vehicles. Mr. Perry noted there is credibility of seeing a town vehicle with the town insignia on it versus seeing a private vehicle on property. The commission agreed and will discuss this matter further.

MINUTES

1.

INVOICES

1.

ADJOURNMENT

Mr. Evans motioned to adjourn the meeting at 7:45pm.

Mr. Habershaw seconded the motion. Motion passed.

For the Conservation Commission,



Robert Materne, Chairman