

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.

RECEIVED
17 APR - 6 AM 8:05
OFFICE OF THE TOWN CLERK
REHOBOTH, MA

REHOBOTH CONSERVATION COMMISSION
Meeting Minutes – November 1, 2016

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

Absent: Thomas Nicholson, Krisna Prachanronarong

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. Manitook Estates – Administrative Consent Order - No new information.
2. One Linden Lane – Martel – site clearing into the wetlands outside scope of OC – Mr. Choquette to revisit in November 2016.
3. Map 63, Lot 12 Fairview Avenue – Reuter – clearing within BVW and/or buffer zone. Ms. Bradley stated Mr. Joseph Perry was scheduled to attend the meeting tonight but had to cancel due to a conflict. Mr. Perry has not approved the forest cutting plan. Ms. Bradley informed Mr. Perry that he should not approve any cutting plan until the Conservation Commission iron out all the details first.
4. Oak Hill Beagle Club – forest cutting plan – CR letter – Site visit scheduled for October 30th. Rehoboth Land Trust members Adam Latham and Carol Williams were present. Mr. Tony Roderick from Oak Hill Beagle Club was also present. Mr. Materne began by stating the commission made a site visit and found many issues. Mr. Materne was under the impression the beagle club wanted to establish a management plan to raise rabbits. He asked Mr. Roderick what he expected to achieve from the management plan. Mr. Roderick stated that he farms the land to raise rabbits. He added they need to work the land to get the right habitat and it requires an extensive amount of cutting. Mr. Roderick has contacted Mass Wildlife. They have a habitat program and will come out the Oak Hill Beagle Club and go over the requirements in late December. He added that owls and hawks are major predators of rabbits and they struggle to keep enough rabbits on site for training purposes. There is no hunting, just beagle training. Mr. Materne stressed the need for a professional Wildlife Management Plan and a Forest Restoration Plan so the forest comes back. Mr. Adam Latham agreed with Mr. Materne. The Oak Hill Beagle Club has agreed to stop all cutting until they can sort everything out.

Mr. Roderick wants to resolve the matter and does not want trouble with the town. Once a member from Mass Wildlife makes their site visit in December and instructs Mr. Roderick on how to maintain a proper rabbit habitat, it should coincide with the Forest Restoration Plan. Mr. Evans stated there are complications regarding Conservation Restrictions. The responsibility of the Conservation Commission is to enforce the Wetlands Protection Act. There are some resource areas that fall under the act. There have also been some violations in the past. The other issue is the Conservation Commission is co-holder of the Conservation Restriction along with the Rehoboth Land Trust. There are things that they would be able to do on this site if there wasn't a Conservation Restriction. Some of the rules related to harvesting fire wood for habitat management fall under the Conservation Restriction Agreement that was signed by the Conservation Commission. They need to sort those issues out. The Conservation Commission and the Rehoboth Land Trust need to be part of the process. Mr. Materne noted the Wildlife Management Plan will be an ongoing thing as long as the club exists. Mr. Latham added the Conservation Restriction is written to allow the club, but larger activities such as lumber and the creation of wildlife habitats and management need further review. They can't just do it. Mr. Materne stressed to Mr. Roderick that until they have a scientist prepare a restoration plan in conjunction with the Wildlife Management Plan there can be no more timber harvesting. A certified forester was present as a representative of Oak Hill Beagle Club. He was instructed by Mr. Materne to submit a Wildlife Management Plan and Forest Restoration Plan to the Conservation Commission and the Rehoboth Land Trust. Mr. Materne also added approximately 2/3 of the habitat was clear cut, when he was only supposed to clear meadow. Mr. Latham interrupted, stating the work done by the forester was not consistent with the Conservation Restriction Plan. If he is representing the Oak Hill Beagle Club he can submit the Wildlife Management and Forest Restoration plans for the commission and land trust to review before work starts. Mr. Evans does not want any ambiguity and wants all communication to be written so when they move forward everything will be clear. Mr. Materne feels the next step is the timeline of getting written reports to the commission. Mr. Roderick asked about maintaining the brush piles now on the property. Mr. Materne okayed the use of a small tractor to maintain the brush piles. The Conservation Commission feels a 4 month timeline is sufficient time to submit both plans. The deadline will be March 1, 2017. The commission has 60 days to review the plans if needed. Mr. Materne wants to set up a site visit once a year. Mr. Roderick requested a 30 day notice for site visit to ensure someone is present from the club. There was no further discussion.

PUBLIC HEARINGS & MEETINGS

1. 180 Reynolds Ave. – Dyer – NOI – SE60-1059 – Ms. Rachel Smith was present on behalf of the applicant. She is proposing a new single family house with associated well, septic system and lawn. She noted there is a small wetland crossing required at the street. She is proposing a wetland alteration by filling 850s.f. of wetlands and putting in an equalizer pipe and replication area. Mr. Materne asked Ms. Bradley if the property was flagged under an ANRAD. It was not. Mr. Materne stated the commission did not go out and approve the wetland line. Ms. Bradley noted the C flags are approved under the John DuVally ANRAD. The A series flags were not verified by the Conservation Commission. Mr. Materne asked that in the future Ms. Smith indicate on the plans when the flagging was done and if it was an ANRAD or not. Mr. Evans asked about a planting plan. The planting plan is shown on the plan. Ms. Smith also stated the equalizer pipe is a 12" pipe. Mr. Pennoyer suggested that due to the turbulence in the office of Otis Dyer the commission should close the public hearing tonight and have a member of the commission visit the site in the next week. He feels that as long as the flags are in the proper position they could issue the Order of Conditions at the next meeting and Ms. Smith would not lose time on the project. Mr. Materne is concerned that if they don't approve the flags can they change them if the public hearing is closed. Ms. Smith stated Mr. Walter Hewitson flagged the property. Mr. Pennoyer added that Mr. Hewitson was extremely conservative and well respected. Mr. Materne asked the commission for

input. They agreed with Mr. Pennoyer. Mr. Evans added if there is a discrepancy with the flags it can be noted on the Certificate of Compliance as-built.

Mr. Pennoyer motioned to close the public hearing.

Mr. Habershaw seconded the motion. Motion passed.

Mr. Materne also informed Ms. Smith wetland signs should be placed at flags C2, A15 and A6. Ms. Bradley will add this information to the Order of Conditions.

2. 142 Reynolds Avenue – John DuVally – NOI – SE60-1061 – Mr. Christopher Andrade from Insite Engineering was present representing Mr. John DuVally who was also present. They are proposing a single family house, driveway and associated grading within the 100' buffer zone. The ANRAD and National Heritage turtle barrier are both approved. There is a shared driveway for lot 2. Wetland signs will be placed at flags C41, C42 and C46.

Mr. Pennoyer motioned to close the public hearing.

Mr. Habershaw seconded the motion. Motion passed.

Mr. Pennoyer motioned to issue the Order of Conditions.

Mr. Evans seconded the motion. Motion passed.

3. 160 Peck St. – John DuVally – NOI – SE60-1060 - Mr. Chris Andrade from Insite Engineering was present representing Mr. John DuVally who was also present. They are proposing a single family house. The driveway and minor grading will be within the 100' buffer. The house, well and septic system is outside the 100' buffer. There were no other concerns from the commission.

Mr. Pennoyer motioned to close the public hearing.

Mr. Habershaw seconded the motion. Motion passed.

Mr. Evans motioned to issue the Order of Conditions.

Mr. Choquette seconded the motion. Motion passed.

GENERAL BUSINESS

1. Pleasant Street Bridge – Updated photos - Ms. Bradley stated that Mike Tyler submitted photos to her. All looks good.

2. Request for COC – 248 Homestead Ave. – SE60-1035 – Ms. Bradley stated all looked good.

Mr. Evans motioned to issue the Certificate of Compliance for 248 Homestead Avenue.

Mr. Pennoyer seconded the motion. Motion passed.

3. 2017 Meeting Schedule and Deadlines for review – The commission felt the schedule looked fine.

MINUTES

1.

INVOICES

ADJOURNMENT

Mr. Evans motioned to adjourn the meeting at 8:15pm.

Mr. Coquette seconded the motion. Motion passed.

For the Conservation Commission,


Robert Materne, Chairman