

**CONSERVATION
COMMISSION**
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Robert Materne, Chairman
David Evans, Vice Chair
Thomas Nicholson
Krisna Prachanronarong
Stephen Choquette
Matthew Habershaw
Scott Pennoyer
Matt Kershaw, Assoc. Mem.

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REHOBOTH CONSERVATION COMMISSION
Meeting Minutes – December 6, 2016

Present: Robert Materne, David Evans, Thomas Nicholson, Krisna Prachanronarong, Scott Pennoyer
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. Manitook Estates – Administrative Consent Order - No new information.
2. One Linden Lane – Martel – Mr. Choquette reported that the back corner of the property has been corrected but the side has no plantings yet. He will check the property again before the next meeting.
3. Map 63, Lot 12 Fairview Avenue – Reuter – clearing within BVW and/or buffer zone. No new information and there has been no activity.

PUBLIC HEARINGS & MEETINGS

1. 25 Medalist Drive – Hussey – NOI – SE60-1062 – Continued from the meeting of 11/15/16. Mr. Rob Davis was present on behalf of the applicant A revised plan was submitted with a newly delineated wetland line. He noted that at the last meeting the commission requested the wetland line be re-flagged by Tonya Brinsky and the reports were submitted to Ms. Bradley. He outlined on the plan that new flags were orange and showed the well and wall relocation and also the grading. Mr. Evans stated the commission agrees with the wetland line. His only concern is the grading which seems steep between flags 4 and 7. He is suggesting double hay bales with wattles. Mr. Davis saw no problem with that request. There was no further discussion.
Mr. Evans motioned to close the public hearing.
Mr. Nicholson seconded the motion. Motion passed.
Mr. Evans motioned to issue the Order of Conditions.
Mr. Nicholson seconded the motion. Motion passed.

2. Behind 237 Pine Street – R. DuVally – ANRAD – SE60-1063 – Mr. Materne recused himself as his brother is an abutter. Mr. Rob Davis and Ms. Suanne Santos from Insite Engineering were present as well as Mr. Ryan DuVally who is the applicant. Mr. Davis began by stating this property was approved for an ANRAD SE60-787, an NOI and approved Subdivision in 2005/2006 for Mr. Manual Raposa. This was right before the economy took a downturn. Approvals have since expired. He is before the Conservation Commission tonight to start the process again with an ANRAD. It will serve as delineation of the flagged wetlands and also for status of the blue line stream. In 2006 it was successfully determined that the stream is intermittent. Since we are currently in a drought the stream is dry and it cannot be challenged by observation. Mr. Davis has the information submitted in 2006 with photographs and a report witnessing the dry streambed. Mr. Davis submitted to the commission an excerpt from the Wetlands Protection Act with pertinent information highlighted regarding the riverfront definitions he believes are pertinent in this case. It does allow for perennial evaluations done on a previous date by specifically referencing field observations made after December 20, 2002 that shall be documented by field notes, dated photographs or video. This information was provided in the previous ANRAD SE60-787. Mr. Davis provided technical analysis based on the USGS stream stats method. It is done using software by USGA to determine perennial versus an intermittent stream. Mr. Suanne Santos provided handouts to the commission and made a brief presentation. She noted the USGS Stream Stats website is useful for access to analytical tools for various projects and also intermittent streams. Each state has specific statistics. She briefly reviewed how to use the website and the information it provides. Ms. Bradley added that Mr. Brad Holmes will be conducting the peer review on the project and is knowledgeable concerning streams stats. Mr. Davis requested a continuance of the public hearing

Mr. Nicholson motioned to grant a continuance of the public hearing to the meeting of December 20, 2016

Mr. Habershaw seconded the motion. Motion passed.

Mr. Evans motioned to retain Mr. Brad Holmes as the consultant for the peer review.

Mr. Nicholson seconded the motion. Motion passed.

3. 161 Winthrop St. – Waterman – NOI – SE60-1064 – Ms. Rachel Smith was present on behalf of the applicant. She is before the commission presenting a vacant retreat lot that will be converted to a house lot. There is a driveway crossing and a man-made ditch. She is proposing a box culvert for the ditch. There will be a wetland replication area of 1,850 s.f. and 1,200 s.f. of wetland alteration. Mr. Evans stated the commission felt comfortable with the wetland line and replication area. Mr. Nicholson asked for details of the box culvert. Ms. Smith stated the top soil would be removed and then crushed stone would be added. Mr. Nicholson suggested a test pit to see what soil is below the top soil to determine how deep the excavation will need to be. Ms. Smith did not see a problem digging a test pit. Ms. Bradley noted a concern with the box culvert. Mr. Pennoyer suggested giving a cross section of elevation on the revised plan which will help the contractor as well. Ms. Smith requested a continuance to address the concerns of the commission.

Mr. Nicholson motioned to grant a continuance to the next meeting of December 20, 2016.

Mr. Evans seconded the motion. Motion passed.

4. 14 Mine Brook Road – Ulicnik – RDA – septic repair – Mr. Dean Monsees from OSD Systems was present on behalf of the applicant. He is proposing a septic upgrade to accommodate a current 2 bedroom house to a 5 bedroom house. He will be replacing the existing leach field in the same footprint. The wetland line is just inside the tree line. A silt barrier is in place.

Mr. Pennoyer motioned to close the public hearing and issue a Negative #3 Determination of Applicability.

Mr. Evans seconded the motion. Motion passed.

GENERAL BUSINESS

1. Request for COC – 231 Winthrop St. (access at Bay State Rd.) – Morra – SE60-0934 – Mr. Evans stated the commission went to the property and the replication area looks good. He recommended issuing the Certificate of Compliance.

Mr. Evans motioned to issue the Certificate of Compliance for 231 Winthrop St.

Mr. Nicholson seconded the motion. Motion passed.

2. Request for COC – 50 Smith St. – Suprenard – SE60-612 – Mr. Paul Suprenard was present. Ms. Bradley stated she received a request for a COC and the applicant stated that the work had not been started. She went out to take a look and noted that work was done although not exactly per what was approved. The work was completed around to the other side of the house but work was still in the buffer zone. There is no as-built plan so the commission cannot issue a Certificate of Compliance agreeing that the work was never started. Ms. Bradley added that the applicant is refinancing and this must have come up in the title search. Mr. Suprenard was present with plans and showed them to the commission. He explained how the work was completed and pointed out on the plans where it was done. The work that was done is actually further away from the resource area than the original plan showed. Mr. Materne informed the applicant he needs to get an as-built plan showing all the work that's been done to the commission. Mr. Suprenard has a closing before the next meeting. Ms. Bradley stated in the past she has written a letter to the applicant stating the commission has reviewed the work that's been done and is awaiting an as-built plan that will be approved. She added that some banks are fine with this type of letter and some are not.

Mr. Nicholson motioned to issue a Certificate of Compliance as long as the as-built plan is submitted within 30 days.

Mr. Pennoyer seconded the motion. Motion passed.

Ms. Bradley will send the letter to the applicant.

3. Chapter 61A – Right of First Refusal – 49 Salisbury Street – Hall – Mr. Materne recused himself. Mr. Evans stated the property is 2.08 acres and asked the commission for their input. Mr. Pennoyer did not feel it was worthwhile to purchase the property.

Mr. Pennoyer motioned not to exercise their right of first refusal for 49 Salisbury Street.

Mr. Nicholson seconded the motion. Motion passed.

4. Chapter 61 – Right of First Refusal – 53 Carpenter Street – Robinson Trust – Mr. Materne began by stating there is a 1 acre house lot within a 17 acre Chapter 61 parcel and the owner wants to sell the house.

Mr. Nicholson motioned not to exercise their Right of First Refusal.

Mr. Habershaw seconded the motion. Motion passed.

MINUTES

1.

INVOICES

1. Perma Line – Twenty (20) Wetland Boundary signs - \$434.20

Mr. Nicholson motioned to submit payment to Perma Line for \$434.20

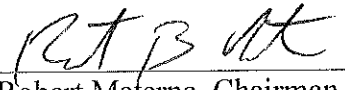
Mr. Pennoyer seconded the motion. Motion passed.

ADJOURNMENT

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

Mr. Nicholson seconded the motion. Motion passed.

For the Conservation Commission,



Robert Materne, Chairman