

**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  
Matt Kershaw  
Scott Pennoyer, Assoc. Mbr.  
Sara Huber, Assoc. Mbr.  
Daniel Roach, Agent

**REHOBOTH CONSERVATION COMMISSION**  
**Meeting Minutes – May 19, 2020**

**Present:** Robert Materne, Chairman, Dave Evans, Krisna Prachanronarong, Stephen Choquette, Matt Habershaw, Daniel Roach Conservation Agent.

**Absent:** Thomas Nicholson, Matt Kershaw, Associate Member Sara Huber, Associate Member Scott Pennoyer.

**CALL TO ORDER**

Mr. Materne called the meeting to order at 7:00 PM.

**Public Hearings & Meetings**

**1. 34 Steber Way – Costa – NOI – SE60-1185**

Mr. Chris Andrade of InSite Engineering was present.

Mr. Andrade presented plans.

Mr. Materne stated that the commission had been out to the site and the wetland line is accurate.

Mr. Materne stated that his only concern is someone has been dumping grass clippings into the wetlands. It needs to be cleaned out. It could be coming from across the street.

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

Mr. Prachanronarong seconded the motion. Roll call vote: all replied aye. Motion passes

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

Mr. Choquette seconded the motion. Roll call vote: all replied aye. Motion passes.

**2. 83 Winthrop Street – Estano – NOI – SE60-XXXX**

Mr. Habershaw stated that the shed needs to be moved forward 15 feet and the gravel has to be dug out to the existing soil. The wetland will grow back.

Mr. Materne stated that the commission was waiting for the wetland line to be changed.

Mr. Ray Francisco of RLF Engineering was present.

Mr. Materne stated we need to see the flags in the correct place and hear that the shed will be moved forward.

Mr. Francisco stated he will let the applicant know that. At the last meeting it was voted to close the public hearing. He moved the line forward 20 feet and redesigned the grading on the system and put in a liner. He submitted the revised plans.

Mr. Materne asked if the flags were moved in the field?

Mr. Francisco stated no.

RECEIVED  
20 OCT 14 AM 11:51  
OFFICE OF THE TOWN CLERK  
REHOBOTH, MA

Mr. Materne stated that needs to be done.

Mr. Francisco stated that he will make sure that it is done.

Mr. Materne stated that there is no DEP number. We made a mistake by closing the public hearing. You can't close it until there is a DEP number.

Mr. Evans stated that the hearing needs to be continued.

Mr. Choquette stated that the commission needed to get it in writing from the owner that they are going to move the shed.

Mr. Francisco stated he would get a letter.

Mr. Francisco requested a continuance until June 2, 2020.

Mr. Evans made a motion to grant a continuance until June 2, 2020.

Mr. Habershaw seconded the motion. Roll call vote: all replied aye. Motion passes.

### 3. Plain Street (Lot 2) – Raposo – NOI – SE60-1186

Mr. Dan Giosia of SiTec Engineering was present.

Mr. Materne stated that the plans have been revised. The driveway is narrower. There is no wetlands being altered. All conservation signs are added, and the slurry pit for the well has been added. The driveway needs to be 12 feet wide not 14.

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

Mr. Choquette seconded the motion. Roll call vote: all replied aye. Motion passes.

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

Mr. Choquette seconded the motion. Roll call vote: all replied aye. Motion passes.

Mr. Materne stated that an Authorization to Proceed will not be issued until the flags are up in the field.

### 4. Plain Street (Lot3) – Raposo – NOI – SE60-1188

Mr. Dan Giosia of SiTec Engineering was present.

Mr. Materne stated that the commission had gone on a second site walk due to a complaint from Mr. Marchand. The new plans show a slurry pit for the well and all the conservation signs. Mr. Roach and I had a conference call with Town Counsel concerning the flooding. Town Counsel feels the filing and the flooding are two separate issues. We will have to discuss the flooding at the next meeting.

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

Mr. Choquette seconded the motion. Roll call vote: all replied aye. Motion passes.

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

Mr. Choquette seconded the motion. Roll call vote: all replied aye. Motion passes.

Mr. Roach stated that the letter regarding the flooding will be included in the file.

### 5. 138 Bay State Road – Rose – NOI – SE60-1190

Mr. Mark Mariano of Oakhill Engineering was present.

Mr. Habershaw stated there are no issues. The wetland line is good.

Mr. Materne stated that the Board of Health needs to issue a variance for the septic.

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

Mr. Prachanronarong seconded the motion. Roll call vote: all replied aye. Motion passes.

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

Mr. Prachanronarong seconded the motion. Roll call vote: all replied aye. Motion passes.

### 6. 140 Bay State Road – Collins – NOI – SE60-1189

Mr. Mark Mariano of Oakhill Engineering was present.

Mr. Habershaw stated the line is accurate.

Mr. Materne stated this will require a variance from the Board of Health.

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

Mr. Prachanronarong seconded the motion. Roll call vote: all replied aye. Motion passes.

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

Mr. Prachanronarong seconded the motion. Roll call vote: all replied aye. Motion passes.

7. 18 Palmer Meadow Lane – Almeida – NOI – SE60-1191

Mr. Jeff Tallman of SiTec Engineering was present.

Mr. Materne stated that the commission had gone out and delineated the mean annual high-water line and the riparian zone, they are accurate. My question is can they take 5000 sq. ft. The riparian zone is very important. DEP grants taking or altering part of a riparian zone when there is a need. I feel that a lawn is a want. You can not replicate a riparian zone. Once it is taken it is gone. I have an issue with the alternative analysis it deals with the septic system.

The commission discussed how much of the riparian zone they were comfortable allowing to be taken.

The commission agreed on 25 feet from the corners of the house back.

The commission discussed the mature trees in the back of the property and keeping some of them and growing the lawn around them.

Mr. Tallman was agreeable to both things.

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

Mr. Habershaw seconded the motion. Roll call vote: all replied aye. Motion passes.

Mr. Habershaw made a motion to issue Order of Conditions with the riparian zone to be marked as 25 feet from each corner of the back of the house.

Mr. Choquette seconded the motion. Roll call vote: all replied aye. Motion passes.

8. 21 Great Cedar Swamp Road – Lefaivre – NOI – SE60-1192

Mr. Ray Francisco of RLF Engineering was present.

Mr. Habershaw stated that the line is accurate.

Mr. Materne asked if the siltation control was to close to the limit of work? Would it interfere with work?

Mr. Francisco stated no, the dashed line is an existing deck.

Mr. Materne stated 95-foot line, you are doing work there and the siltation control is there. Move the erosion control a little further away.

Mr. Francisco stated that is not a problem.

Mr. Materne asked how they are going to empty out the septic system with it under the deck? Are they going to tear the deck down?

Mr. Francisco stated either that or pump in flowable fill into it.

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

Mr. Choquette seconded the motion. Roll call vote: all replied aye. Motion passes.

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

Mr. Choquette seconded the motion. Roll call vote: all replied aye. Motion passes.

9. 7 Layla's Way – Starr Real Estate – RDA

Mr. Rob Davis of InSite Engineering was present.

Mr. Davis presented plans.

Mr. Choquette stated there are no concerns.

Mr. Materne asked is the stone wall, in its entirety, going to stay or are you going to get rid of it on the inside of the silt fence.

Mr. Davis stated it will be utilized as a break for grading is necessary. The owner wants to keep it.

Mr. Materne stated why not turn the wall into erosion control?

Mr. Choquette stated that essentially, they are for grading purposes.

Mr. Choquette made a motion to close the public meeting and issue a Negative 3 determination.

Mr. Habershaw seconded the motion. Roll call vote: all replied aye. Motion passes.

**Concerns & Complaints**

1. 97 Salisbury Street – Concern

Mr. Materne stated the Mr. Roach and himself spoke to Town Counsel regarding what to do with the Enforcement Order. Town Counsel said the best thing to do is to have the violator file a Notice of Intent and under that we can get him to do a replication area to restore the area that he damaged. The other thing Town Counsel spoke about is issuance of tickets.

Mr. Roach stated that it would be a ticket structure that we decide on the amount and the frequency and what constitutes being fined. We could issue them as a commission and it would have to be part of our by-laws.

Mr. Materne stated it's a workable thing so we could actually fine people through the use of a ticket. This is something we need to work on so we can have it ready for next years Town Meeting. Asked the commission what they thought?

Mr. Evans stated he would like to find out more information.

Mr. Materne stated to send a letter to 97 Salisbury Street that he needs to file a Notice of Intent so, we can get the land replicated.

Mr. Evans made a motion regarding 97 Salisbury Street, to send a letter to Cordeiro indicating that he needs to file a Notice of Intent to resolve his enforcement issue.

Mr. Prachanronarong seconded the motion. Roll call vote: all replied aye. Motion passes.

**General Business**

1. Agent Update

Mr. Roach updated the commission on the Authorizations to Proceed that he has issued since last meeting.

**Meeting Minutes**

1. January 7, 2020

2. April 21, 2020

Mr. Evans made a motion to approve the above-named minutes.

Mr. Choquette seconded the motion. Roll call vote: all replied aye. Motion passes.

3. May 5, 2020

4. June 6, 2010

The above-named minutes were tabled.

**ADJOURNMENT**

Mr. Habershaw made a motion to adjourn the meeting.

Mr. Choquette seconded the motion. Roll call vote – all replied aye. Motion passes.

Meeting adjourned at 8:28 pm.

For the Conservation Commission

  
Robert Materne, Chairman

\_\_\_\_\_  
David Evans, Vice-Chairman