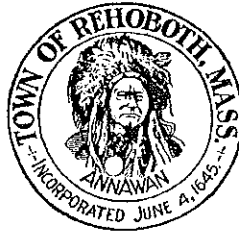


**CONSERVATION
COMMISSION**
148 Peck Street
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Robert Materne, Chairman
David Evans, Vice Chair
Thomas Nicholson
Krisna Prachanronarong
Stephen Choquette
Matthew Habershaw
Scott Pennoyer
Matt Kershaw, Assoc. Mem.

REHOBOTH CONSERVATION COMMISSION
Meeting Minutes – August 15, 2017

Present: Robert Materne David Evans, Thomas Nicholson, Krisna Prachanronarong, Matt Habershaw, Stephen Choquette

Leeann Bradley, Conservation Agent

Absent: Scott Pennoyer, Matt Kershaw,

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. Lot 10 Plain St. – Vieira – EO lifted – Restoration area - Mr. Materne stated the commission went out to the property. He asked Ms. Bradley if Mr. Vieira has called her about seeding etcetera. She has not received a call. Mr. Materne stated the commission instructed him on what he needs to do at their last visit. Mr. Evans suggested sending Mr. Vieira a letter with the commission's recommendations. Mr. Habershaw recommendations of New England wet mix and recommendations from New England Wetlands Plants be completed from September 1st to October 15, 2017.
2. Manitook Estates – Administrative Consent Order – Mr. Materne stated they have received another update via email.
3. One Linden Lane – Martel – Mr. Choquette rode by the property and noted nothing has been done on the site. It is still in a rough grade state. No loam has been spread. It is still down to gravel and they are still working on the house. Mr. Materne instructed Ms. Bradley to contact the builder and have him attend the next meeting.
4. Oakhill Beagle Club – Mr. Materne stated they will be meeting with the Rehoboth Land Trust after they finish with Conservation Commission business.
5. 367 Anawan Street – Lilli Mae – possible cutting within BVW – Mr. Materne stopped by on Sunday and noted no flags were in place. Ms. Bradley confirmed another letter was sent to Mr. Viera. Mr. Materne doesn't think this is a DEP issue. Another letter will be sent to Mr. Viera stating the commission had expected him at this meeting and he did not attend.

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PUBLIC HEARINGS & MEETINGS

1. 41 Colonial Way – David Duarte – ANRAD – SE60-1964 – This public hearing is continued to the meeting of September 5, 1027.

2. 50 Tremont St. – Lacombe – ANRAD – SE60-1077 – This is a continuance of the public hearing on August 1st. Ms. Lisa Caledonia from LSC Environmental Consulting was present on behalf of the applicant. She reviewed the revisions to the plan regarding the A and B series flags. The commission was satisfied with the B series flag revisions. The A series was not part of the ANRAD application and this will be reflected on the permit.

Mr. Evans motioned to close the public hearing.

Mr. Nicholson seconded the motion. Motion passed.

Mr. Evans motioned to issue the ORAD with the A series flags to be taken out of the ANRAD.

Mr. Nicholson seconded the motion. Motion passed.

3. 259 Plain St. – Branco – NOI – SE60- The Public Hearing has been continued to the meeting on September 5, 2017.

4. 120 Hillside Avenue – Levine – RDA – Mr. Ken Fortier from Civil Engineering Concepts was present on behalf of the applicant. Mr. Ted Rowse was also present. Mr. Fortier is before the commission proposing a 1,040 s.f. addition to a single family home. They are replacing the septic system which will be 100' from the BVW. This will require relocating a small portion of the driveway. A 65' length of the gravel driveway will be 9' closer to the BVW than the current driveway. Two trees and some shrubbery will need to be removed. The driveway will be 25' from the bank of the intermittent stream and 15' from the BVW. Mr. Fortier then took questions from the commission. Mr. Materne stated the first issue is that because the area was not flagged and they did not get the plans in time, the commission did not make a site visit on Sunday. Therefore they cannot make a decision tonight. Also part of the discussion tonight is that there is more than just the driveway to consider. They will discuss the addition which is in the 50' area. The commission will have to decide if this will have a positive or adverse impact. He asked the commission if they want to make an exception in this case and make a determination without verifying the flag line first. The commission agreed. Mr. Evans will visit the site at 8:30 am tomorrow morning to verify the flag line. If he determines the flags are not according to the plan he will be contacting Ms. Bradley.

Mr. Evans motioned to issue a Negative #3 Determination of Applicability.

Mr. Nicholson seconded the motion. Motion passed.

5. 113 Reynolds Avenue - John DuVally – NOI – SE60-1078 - Mr. Brandon Faneuf was present on behalf of the applicant Mr. John DuVally. He began by stating the property is currently owned by LaSalette Shrine and is on the east side of Reynolds Ave and North of Peck Street. The property is vacant and forested, and also forested swamp. There was an ANRAD earlier this year SE60-1073. The ANRAD was issued for that property. There are two vegetated wetland areas. The whole area is also in the estimated habitat for Box Turtle. The concurrent application was sent to National Heritage Endangered Species program. It was received near the end of July and they still have time to review and comment. Mr. Materne informed Mr. DuVally he will need to install signs at the turtle barrier once National Heritage responds. Mr. Faneuf asked the commission if they had any questions or concerns with the replication area crossing. The commission had no other questions.

Mr. Evans motioned to grant a continuance of the Public Hearing to the meeting on September 5, 2017.

Mr. Nicholson seconded the motion. Motion passed.

GENERAL BUSINESS

1. Request for COC – 122 Peck Street – Prairie/Gill – SE60-1055 – Ms. Bradley made a visit to the site and stated everything looked good.

Mr. Evans motioned to issue the Certificate of Compliance for 122 Peck St.

Mr. Nicholson seconded the motion. Motion passed.

2. Dumontier – 47 Spring Street – ROFR – Chapter 61 – Ms. Bradley stated that the plan that was submitted was correct. She checked with the Board of Assessors office and they stated it was totally acceptable the way Mr. Dumontier submitted it. The property is approximately 70.8 acres with no frontage.

Mr. Nicholson motioned to waive their rights to this property.

Mr. Habershaw seconded the motion. Motion passed.

A memo will be sent to the Board of Selectmen with the commission's decision.

3. Discussion with Rehoboth Land Trust regarding OakHill Beagle Club – Mr. Adam Latham, Ms. Carol Williams and Ms. Carol Entin were present. Mr. Materne stated he attended the Rehoboth Land Trust meeting last night and gave a quick summary of the meeting. He stated the meeting was about how to move forward with setting goals on what they want to see done with the OakHill Beagle Club property as it relates to the Conservation Restriction as well as other matters. The OakHill Beagle Club wants to move forward and manage everything they cut. The Rehoboth Land Trust has the option of saying they want to go back to the full baseline or say fine, manage everything or manage something in between. He feels the Conservation Commission needs to approach this matter in the same way. Mr. Adam Latham, President of the Rehoboth Land Trust gave a summary of where they ended up last night. They had a few things that they asked OakHill Beagle Club to do. One was to survey delineated wetland areas inside the fence so the 100' buffer can be marked and a "no touch zone" can be established. The second item of concern was, where do they go from here? They need to know just how much land has been disturbed from the signing of the Conservation Restriction until today. They want to ask OakHill Beagle Club to determine what was forested and what was open back in 2012 and what is forested and open today. They can look at percentages and determine if it makes sense to have a consultant decide where they want a rabbit habitat management area to be, including soils, and if the environment makes sense for it to happen in. They can then discuss what kind of limits they want to set on that. Should they go back to 2012 or go back to the limited disturbance when the fence was put in, or do something else. They need to know what the numbers are first. Mr. Latham stated it is somewhat visible with some of the aerial photos just how much area has been disturbed. These two issues were voted on to ask for last night. The third issue they did not vote on but they had a consensus on, was trying to help OakHill Beagle continue to handle some of the management on the property, which would include the addition of invasive plant species. The Rehoboth Land Trust feels this is ok to address as long as it's not something beyond maintenance of trails. Mr. Latham noted there are some significant areas on the map such as Area B. He added if an area is more than one half acre they should come to the land trust and ask them to take a look at what they want to disturb and how they want to handle the management of the invasive species. The land trust would allow them to do those types of things to help manage the species. Mr. Materne stated they have asked for wetland delineation. He feels they already have one and the commission needs to verify it. He added they discussed the forest cutting plan and how to address it. They can have a forest cutting plan but it has to be approved by the commission first. The plan talks about cutting 50% of the wetlands. There should be no cutting in the wetlands. They need to know there should be no more cutting until the issues are resolved. Mr. Materne wants to see some of the land brought back to the way it should look.

The commission needs to decide how much they want restored and how much they want managed for the beagle club. He asked for the commissions input. Mr. Latham added Kelly Whitmore stated the land needs to remain in its predominantly forested condition. Mr. Materne asked Mr. Latham to forward the satellite photos to the commission. Mr. Materne asked if there is a certain amount of acreage needed to successfully populate the rabbit habitat and still allow for a forested area. Ms. Carol Entin asked if it is possible to have a wildlife biologist look at the property and come up with a 3 tiered plan. It should show how much acreage would be required to create a successful rabbit habitat vs successful forest restoration for 3 different acreage amounts. Mr. Materne wants to know what the reasonable number of acres is required for a rabbit habitat and forest management plan. Mr. Materne emphasized the need for a detailed full size delineation plan that should be verified by the commission. They also need a surveyed plan showing the disturbance to date. Mr. Materne asked the commission if using Google Earth would supply sufficient information for the Conservation Commission to go forward working with the beagle club. Mr. Habershaw felt it would. He was more concerned with the beagle club listening to, and following through with instructions from the commission since they have failed to do so in the past. Mr. Materne stated they need a few things to move forward. OakHill Beagle Club will need to submit a wetland delineation plan. Mr. Nicholson added they should also submit a surveyed plan showing disturbance to date. Ms. Entin stated the 2012 aerial photos show approximately 98% of the area as wooded. Paths are barely visible. The last thing is communicating to the beagle club about maintaining and removing areas of invasive species. Mr. Materne added that no work should be done however, if they want to manage area B1 – Figure 4, for rabbits, they need to come before the commission first. Mr. Materne stated they will send OakHill Beagle Club a letter stating they've had a joint meeting with the Rehoboth Land Trust. Ms. Bradley will type a draft letter about rectifying the violations of the Conservation Restriction. She will email it to the commission and the land trust to look over before sending it to the beagle club. Mr. Latham asked that she remind them there is a Conservation Restriction on the property and no work is to take place without authorization from the Conservation Commission and the Rehoboth Land Trust. The OakHill Beagle Club will need to present a proposal of work using the recommendations outlined in their Wildlife Habitat Assessment report. This will need to be submitted to both boards prior to the first meeting in October.

Mr. Latham motioned to send a letter to OakHill Beagle Club outlining the issues discussed. Mr. Evans seconded the motion. Motion passed.

MINUTES

1. July 11, 2017 2. July 25, 2017 3. August 1, 2017

Mr. Evans motioned to approve the minutes of July 25, 2017 and August 1, 2017

Mr. Nicholson seconded the motion. Motion passed.

The minutes of July 11, 2017 will be tabled to the next meeting.


INVOICES

ADJOURNMENT

Mr. Evans motioned to adjourn the meeting at 8:30p.m.

Mr. Nicholson seconded the motion. Motion passed.

For the Conservation Commission


Robert Materne, Chairman


David Evans, Vice-Chairman