

**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.

**REHOBOTH CONSERVATION COMMISSION**  
**Meeting Minutes – September 5, 2017**

**Present:** Robert Materne David Evans, Krisna Prachanronarong, Matt Habershaw, Matt Kershaw

Leeann Bradley, Conservation Agent

**Absent:** Scott Pennoyer, Stephen Choquette, Thomas Nicholson

RECEIVED  
18 JAN 17 AM 8:06  
OFFICE OF THE TOWN CLERK  
REHOBOTH, MA

**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 – No new information

2. Manitook Estates – Administrative Consent Order – Ms. Bradley stated acting Building Inspector, Bill McDonough has issued a Cease and Desist because they have not complied with the Zoning Board of Appeals permit. They are allowed to work on the larger replication area. Nothing else.  
Mr. Evans motioned to issue an Enforcement Order that allows them to continue working on the large replication area.

Mr. Habershaw seconded the motion. Motion passed.

3. One Linden Lane – Martel – No new information

4. Oakhill Beagle Club – No new information

5. 367 Anawan Street – Lilli Mae – possible cutting within BVW – Mr. Robert Dias was present. He rents the property. Mr. Materne informed him that all the dirt, wood and debris is within the buffer zone and some of it is most likely in the wetlands. Mr. Dias stated the flags were in place 2 days ago. He added that the old flags are there and the new flags are in the same position as the old flags. He stated the first blue flag is about 70' in from Anawan St. and some of the flags are near the stone wall. Mr. Dias stated he is finished once the dirt pile is removed. Mr. Materne decided they will go the property at their next site walk to take a look at the property and see where the flags are and determine the set back. Mr. Dias stated he will meet the commission there. There was no further discussion.

## **PUBLIC HEARINGS & MEETINGS**

1. 425 Fairview Avenue – Price – ANRAD – SE60-1080 – Ms. Rachel Smith was present on behalf of the applicant. She is proposing a single family house lot on Fairview Avenue. She noted an ANRAD was required due to extensive wetlands. Mr. Materne stated the commission looked at the entire line and determined it was fine. He had one question regarding why flags A32, A57, A31 and A15 are not connected. He stated that it looks like they added logs over the wetlands to drive in. Ms. Smith stated that it's a very old existing driveway crossing that is not in good shape and she thinks they added logs and brush on top of it so they could drive in there. The commission had no other concerns or questions. Mr. Evans motioned to close the public hearing. Mr. Prachanronarong seconded the motion. Motion passed. Mr. Evans motioned to issue the ORAD. Mr. Habershaw seconded the motion. Motion passed.

2. 259 Plain St. – Branco – NOI – SE60- This Public Hearing was continued to the meeting on September 5, 2017. Mr. Rob Branco was present. Mr. Materne stated he and other members of the commission went to the property and verified the wetland line. Mr. Materne asked the commission if they had any issues with the plans. There were no concerns. Mr. Materne went on to the violations and stated that the wetland area had been mowed. The compost pile, the box truck and fencing were all in the wetlands and need to be removed. Mr. Materne met with Mr. Branco on Monday and instructed him to move the box truck and fencing. However, he wants to first discuss how they will remove all the compost and dirt some of which is in the wetlands or in the buffer zone. They need to discuss how and where they will move this. Mr. Materne noted the applicant wants to build a garage no matter what. He asked the commission if they should allow Mr. Branco to go ahead with the garage now or finish the work in the wetlands first. Mr. Habershaw stated he thinks Mr. Branco should be allowed to proceed with the entire project as long as he cooperates with the commission. Mr. Prachanronarong agreed. Mr. Habershaw recommended making another site walk in 30 days to inspect the removal of material in the wetlands. Mr. Materne informed Mr. Branco he can proceed with the garage but hay bales must be in place before he can start any work. He can have an opening to access the area. Mr. Materne stated they will make another site visit in 30 days. If the removal is not complete they will shut his project down. Mr. Evans added that if it is not finished he will be in violation of zoning bylaws. Mr. Habershaw added Mr. Branco will have to stabilize and revegetate the area with a wetland seed mix on the wetland side as well. Mr. Materne clarified to Mr. Branco he can proceed with the house and garage but he must complete the removal of material within 30 days. Mr. Materne also suggested having the engineer assist Mr. Branco by staking the erosion control line. Mr. Evans stressed to Mr. Branco the importance of following the Order of Conditions specific instructions. Mr. Materne asked about Conservation signs. The commission determined that wetland signs should be placed at wetland flags 3, 9, & 14 and that no mowing is to take place behind the wetland signs. He also informed Mr. Branco that no work can begin until Ms. Bradley goes to the property to inspect the hay bale line. Mr. Evans motioned to close the public hearing. Mr. Habershaw seconded the motion. Motion passed. Mr. Evans motioned to issue the Order of Conditions. Mr. Habershaw seconded the motion. Motion passed. The commission will make their 30 day site visit on the first Sunday in October.

3. 295 Winthrop Street – Ames – RDA – Mr. Bob Berube was present on behalf of the applicant, Clyde Ames who owns the property. Ms. Bradley confirmed the wetland is fine. Mr. Berube reviewed the plan. The property has a vacant building on site. The building is being re-habed. It is zoned commercial. A lawnmower business may move there. A well and a septic system will be needed. Mr. Berube stated he and Mr. Bob Ashton conducted some perc tests in the front. He added it is a tight area due to the street. They also went to the right side of the property but couldn't find suitable material there, otherwise they

would have put the septic system in that area. They came around to the side shown on the plan which had good material and they put the septic system there. They had to treat this as new construction even though the building is existing. He did not see any wetlands on the property. The septic system falls within the 100' buffer. Wetland flag B7 is about 88' feet from the edge of the leaching field. He designed the septic system for a potential office building. The well will be placed at the back of the property.

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

Mr. Prachanronarong seconded the motion. Motion passed.

4. 113 Reynolds Avenue - John DuVally – NOI – SE60-1078 - Ms. Bradley stated they are waiting to hear back from National Heritage and the letter was in their packets stating everything is all set. They only need to close the public hearing.

Mr. Evans motioned to close the public hearing.

Mr. Habershaw seconded the motion. Motion passed.

Mr. Evans motioned to issue the Order of Conditions.

Mr. Habershaw seconded the motion. Motion passed.

## **GENERAL BUSINESS**

1. Open Space and Recreation Plan – Committee Member – Mr. Materne asked if anyone wanted to be on the mapping committee. He is now on the mapping committee but would prefer to be on the Open Space and Recreation Sub-Committee. Mr. Prachanronarong agreed to be on the mapping committee replacing Mr. Materne.

### \*Not on Agenda:

1. Mr. Evans asked the commission to spending a little money regarding the nature of a particular right of way. He is asking that a little bit of legal research go into this matter. He has information that he will send to Mr. Materne to obtain the legal status of this right of way off Maple Lane or County Street. Mr. Evans will submit a better map to the commission.

2. Mr. Evans also discussed the Walt Munroe Conservation Area formal opening. He stressed that owning the Conservation Restriction is something that really needs to be done and the Wildlife Trust has expressed interest in holding the Conservation Restriction as well. Mr. Evans stated Mr. Vadnais asked him to discuss with the commission that since the land belongs to the Conservation Commission they need to be the ones to develop the rules and regulations and to make sure they are enforceable. He mentioned perhaps getting town counsel involved. Mr. Evans suggested regulations similar to Ministerial Land, and draft something for town counsel to review. Mr. Evans stated Mr. Ed Bertozzi is currently drafting the Conservation Restriction and wants to make sure agricultural activity is allowed. It will be specified in the Conservation Restriction. The rules and regulations will be added to the agenda for the 10/3/17 meeting for discussion. Ms. Bradley will research how other towns write the rules and regulations for similar properties.

## **MINUTES**

1. July 11, 2017

The minutes had not been read. They will be sent again.

## INVOICES

### ADJOURNMENT

Mr. Materne stated the Conservation Commission would go into Executive Session for the purpose of discussing property and return for adjournment.

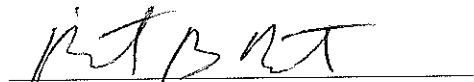

Roll Call vote. All aye.

The commission returned for adjournment

Mr. Evans motioned to adjourn the meeting at 8:00p.m.

Mr. Habershaw seconded the motion. Motion passed.

For the Conservation Commission

  
Robert Materne, Chairman  
David Evans, Vice-Chairman