

**CONSERVATION
COMMISSION**

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Robert Materne, Chairman
David Evans, Vice Chair
Thomas Nicholson
Krisna Prachanronarong
Stephen Choquette
Matthew Habershaw
Scott Pennoyer
Karl Drown, Assoc. Member

REHOBOTH CONSERVATION COMMISSION
Meeting Minutes – May 19, 2015

Present: Robert Materne, Thomas Nicholson, Steven Choquette, Matt Habershaw, Krisna Prachanronarong, Scott Pennoyer, Matt Kershaw Associate Member; Leeann Bradley – Conservation Agent

Absent: David Evans

CALL TO ORDER

Mr. Materne called the meeting to order at 7:01 PM. Pledge of Allegiance recited at 7:02pm.

CURRENT ISSUES

1. Manitook Estates -40B Subdivision – conduct frequent site visits – The contractor who was responsible for installing the erosion control and construction fence and initial site work, is no longer working on this project..
2. 83 Plain St. – Lopes – Add'l activity on property – manure management plan/removal of all cows to be addressed 5/19/15 – Ms. Susie Lopes was present. She has not submitted a manure management plan. Mr. Materne spoke with Board of Selectmen Chairman, Skip Vadnais as well as town counsel. The deadline to remove the cows will be midnight, Saturday, May 30, 2015. All cows must be removed from the property or the Conservation Commission will contact the Board of Selectmen regarding legal action. Before any more animals can be brought back onto the property, the Conservation Commission will need a manure management plan which will need to be approved by the Commission. Mr. Materne wants selectman Vadnais to review the manure management plan as well as the Board of Health and Walter Munroe of the Agricultural Commission. Once the manure facility is approved and constructed, she can then bring a limited number of cows back onto the property. Mr. Materne read the letter from NRCS and reminded Ms. Lopes that the information is a guide for her to come up with the manure management plan. She will need to state the number of animals she intends to keep and cannot exceed that number. Mr. Materne stated Ms. Lopes does not have a farm plan and is therefore considered a hobby farmer. Selectman Vadnais believes Ms. Lopes is not running a farm. He also mentioned the neighbors of 30 years are extremely upset and cannot sell their home due to the odor of the unmanaged manure. The neighbors have many more rights due to the situation. Ms. Lopes will need to have equipment on site to remove the manure and a way to get the equipment in and out of the property. Ms. Bradley will send a follow-up letter to Ms. Lopes' father, who is the property owner.

3. 187 Pleasant Street – Goulet – BVW/Riverfront fill – EO issued – Mr. Materne and Mr. Choquette made a visit to the property two weeks ago. They saw filling along the riverfront. The owner has been instructed on what needs to be done. Mr. Choquette has not yet heard from the owner. The owner was to contact Mr. Choquette once the work was completed. Mr. Choquette noted that there are piles of fill blocking the two access roads that were not there previously. Mr. Materne stated the owner needs to be contacted and if no response, the Commission will need to involve DEP. Ms. Bradley will send a letter and try to contact the owner by phone. It will be added to the next site walk unless the owner contacts the Commission or Mr. Choquette beforehand to meet with them.

4. Lot 10, Plain St. – Vieira – Restoration of altered BVW – Mr. Pennoyer will check with Mr. Vieira this week regarding progress of planting. It is almost past time to plant. Mr. Vieira must restore the wetlands first before presenting a subdivision or Form A plan. The ANRAD for this property was issued in June of 2013.

PUBLIC HEARINGS & MEETINGS

None

GENERAL BUSINESS

93 Peck St. – Otis Dyer - moving haybales - Mr. Otis Dyer was present on behalf of the applicant and noted this project was submitted as an RDA with a Negative Determination issued by the Commission last fall. The foundation is installed with rough grading around it. The applicant is proposing moving the haybale line back to the BVW line. Mr. Materne stated the applicant will need to file a NOI if they are working within 50' of the BVW. There will be some additional fill to level out the backyard. If there is no grade change, an RDA will be acceptable to the Commission. If the grade is changing the applicant will need to file a NOI. Mr. Dyer will consult with the applicant and file a NOI if needed.

Request for COC – Ashlynn Young -22 South Old Anawan St. – Mr. Materne stated the Commission looked at the property and it looked okay – all vegetated. Mr. Habershaw motioned to issue the Certificate of Compliance. Mr. Nicholson seconded the motion. Motion passed.

Mark McMillan – 89 Pine St. – WJAR-TV – Mr. Mark McMillan, chief engineer from WJAR –TV was present. He is requesting to cut back the tree canopy to see guy wires. There are wetlands present. Mr. McMillan presented plans to the Commission. They will be using low psi tractors for removal of trees and pruning. Mr. Materne suggested the Commission go out to take a look during the next site walk and then advise Mr. McMillan how to proceed. A representative of Stanley Tree Company will be there also.

149 Chestnut St. – Manette Jungels – buffer zone enhancement - Mr. Evans made a visit to the property and noted that everything the applicant wants to prune/enhance is in the upland. The Commission has no concerns. Ms. Jungels is all set to proceed.

280 Summer Street, Solar Project - Mr. Nicholson stated he stopped by the solar farm on Summer St. Ms. Bradley informed the Commission she has received numerous phone calls from abutters complaining about the landscaping and the number of telephone poles. Mr. Nicholson admitted there are more telephones poles installed than he expected. Erosion control was well done using wattles and silt fence. The land is very dry due to lack of rain.

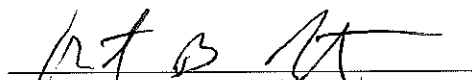
Five Wheeler Street – Tavares – Possible Wetland Violation - Mr. Materne requested Ms. Bradley send a letter to Joaquim and Ana Tavares at 5 Wheeler St. requesting they attend the next Conservation Commission meeting with regard to a possible wetland violation.

Peck Street/Reynolds Avenue – DuVally - ANRAD – Ms. Bradley stated that Mr. DuVally has filed an ANRAD which did not make it onto this meeting's agenda and will be on the June 2, 2015, agenda. Mr. DuVally was hoping to know if this was something that the Commission would send out for review and, if so, could the plan and report be sent to the Commission's consultant to obtain a proposal for the cost of the review prior to the next meeting. The Commission agreed and Ms. Bradley will obtain a proposal from Brad Holmes as to the cost of the review and notify Mr. DuVally.

ADJOURNMENT

Mr. Nicholson motioned to adjourn the meeting at 7:35p.m. Mr. Choquette seconded the motion. Motion passed.

For the Conservation Commission,


Robert Materne, Chairman