

**CONSERVATION  
COMMISSION**  
340 Anawan 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  
William Morgan, Assoc. Mbr  
Daniel Roach, Agent

**REHOBOTH CONSERVATION COMMISSION**  
**Meeting Minutes – July 11, 2023**

**Present:** Robert Materne, Chairman, Dave Evans, Thomas Nicholson, Stephen Choquette, Matt Habershaw, Associate Member William Morgan, Daniel Roach Conservation Agent, Stacy Vilao, Office Administrator.

**Absent:** Krisna Prachanronarong, Matt Kershaw.

**Call to Order**

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

**Appeal Process**

Mr. Materne explained the appeal process.

**Public Hearing and Meetings**

1. Riess & Hass – Broad St. – ANRAD – SE60-1314

Mr. Materne recused himself.

Mr. Mark Mariano of Oakhill Engineering was present.

Mr. Mariano presented the plans.

Mr. Evans asked the commission if there were any questions, there were none.

Mr. Evans asked the audience if there were any questions, there were none.

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

Mr. Habershaw seconded the motion. Motion passes.

Mr. Nicholson made a motion to issue the ORAD as accurate.

Mr. Habershaw seconded the motion. Motion passes

2. Sustainable Farm Realty – Portion of Summer St. – ANRAD – SE60-XXXX

Mr. Jeff Tallman of NE & C was present.

Mr. Tallman presented plans.

Mr. Materne stated that the flags in the field are accurate as depicted on the plans.

Mr. Evans asked about flags A125 – A 152. The numbers are off by numbers.

Mr. Tallman stated that they had been corrected to A25 – A52.

Mr. Materne asked if the audience had any questions, there were none.

Mr. Tallman requested a continuance until July 25, 2023

July 11, 2023

Page 1 of 5

23 SEP 15 AM 8:17  
CLERK OF THE TOWN  
REHOBOTH, MA

Mr. Evans made a motion to grant a continuance until July 25, 2023.  
Mr. Habershaw seconded the motion. Motion passes.

3. Sustainable Farm Realty – Portion of Summer St. – NOI – SE60-XXXX

Mr. Jeff Tallman of NE & C was present.

Mr. Tallman presented plans.

Mr. Materne stated that the replication is on someone else's property.

Mr. Tallman stated that the owner will have permission to do the replication.

Mr. Materne stated that at flag RF1 there are rocks covering the culvert. They need to be moved.

Mr. Morgan asked if the replication area doesn't survive who does the commission talk to?

Mr. Tallman stated the current owner.

Mr. Evans asked Mr. Habershaw and Mr. Choquette about the grading near the barn, at 58, 59, if it was workable?

Mr. Habershaw stated that it is going to be steep.

Mr. Choquette requested that extra boulders be put along that area.

Mr. Tallman stated that there will be no access there.

Mr. Choquette stated that the wall should be built deeper.

Mr. Tallman stated he would use an erosion control blanket.

Mr. Evans asked the commission if they wanted conservation signs?

Mr. Habershaw stated at flag 58 and before flag 61.

Mr. Morgan stated they should be along the driveway as well.

Mr. Tallman asked if they could be spaced out?

Mr. Morgan stated that 3 of them should be installed.

Mr. Evans asked the commission how they felt about the planting plan?

Mr. Habershaw stated it should be fine.

Mr. Tallman requested a continuance until July 25, 2023.

Mr. Evans made a motion to grant a continuance until July 25, 2023.

Mr. Nicholson seconded the motion. Motion passes.

4. Devaney – 117 County St. – NOI – SE60-XXXX

Mr. Roach explained that the applicant has requested a continuance. He also stated that Mr. Morgan had called the office that afternoon explaining that there was working going on at the site. Mr. Roach had gone out to the site and explained that they could not start work and that all work was to stop. Which it had.

5. Noonan – 191 Summer St. - RDA

Mr. Mark Mariano of Oakhill Engineering was present.

Mr. Mariano presented plans.

Mr. Materne stated that the wetland line was accurate and that the leave debris was to be removed from the wetlands.

Mr. Materne asked if the commission had any questions, there were none.

Mr. Evans made a motion to issue a Positive 2A determination.

Mr. Nicholson seconded the motion. Motion passes.

Mr. Evans made a motion to issue a Negative 3 determination.

Mr. Nicholson seconded the motion. Motion passes.

6. Auclair – 53 Salisbury St. - RDA

Mr. Materne recused himself.

Mr. Mark Mariano of Oakhill Engineering was present.

Mr. Mariano presented plans

Mr. Habershaw stated that the wetland line is accurate.

Mr. Evans asked the commission if there were any questions or concerns, there were none.

Mr. Evans asked the audience if there were any questions or concerns, there were none.

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

Mr. Habershaw seconded to motion. Motion passes.

Mr. Habershaw made a motion to issue a Negative 3 determination.

Mr. Choquette seconded the motion. Motion passes.

## **General Business**

### 1. Tran – 158 Anawan Street – SE60-1237 – Request for COC

Mr. Roach stated that all work had been done according to the plan. Recommended issuing a COC.

Mr. Evans made a motion to issue a COC.

Mr. Choquette seconded the motion. Motion passes.

### 2. Silva – 179 Mason St. – SE60-1124 – Request for COC

Mr. Roach stated that all work had been done according to the plan. Recommended issuing a COC.

Mr. Evans made a motion to issue a COC.

Mr. Choquette seconded the motion. Motion passes.

### 3. Recommendation for Appointment – Voting Member – Discussion/Vote

This item was tabled for a future meeting.

### 4. 2023 Schedule – August – September - Discussion/Vote

Mr. Materne suggested the following changes to add August 29, 2023 to the schedule. Remove October 3, 2023 from the schedule.

This was discussed further.

The commission discussed if they would have a meeting on October 31, 2023 or not. The commission decided to wait until the meeting was closer to make a decision.

Mr. Evans made a motion to accept the meeting schedule as revised.

Mr. Nicholson seconded the motion. Motion passes.

### 5. Proposed Wetland Bylaw – Discussion

The commission discussed the potential for revisions to the existing wetland bylaw. They discussed if there should be a smaller buffer zone, how it would be regulated.

Mr. Brian Hatch of the Attleboro Conservation Commission was present.

Mr. Hatch discussed how Attleboro handles their bylaw and a “no-touch” zone.

The commission discussed that they need a basic concept for this first. Then the details of it would be discussed further.

Also, present Kera McConaghy of Perryville Road & Joan Cauette of 110 Perryville Road.

Each of them gave their input.

### 6. Conservation Commission Updates

#### Conservation Restrictions

Mr. Materne spoke in regards to Mr. Morgan researching all the properties in town that have Conservation Restrictions on them.

### 7. Agent Update

There were no updates.

## Concerns & Complaints

### 1. 229 Brook Street – Concern

There was no update.

## Violations

### 1. Rego – 23 Winthrop St – Enforcement Order

Mr. Materne asked the commission what time frame they should give the owner to establish the flags.  
Mr. Habershaw stated days, until the August 15, 2023 meeting.

### 2. Alves – 29 County St – Enforcement Order

Mr. Materne stated that the pipe has not been removed, they need to cut it and redirect it and remove the trash. Someone needs to be onsite when these things happen.  
Mr. Morgan stated that a notice of impending fines be sent.  
Mr. Nicholson stated that the pipe did not need to be dug up.

### 3. Morrissey – 72 Martin St. – Enforcement Order

The applicant has filed a NOI and received OOC.

### 4. 172 Summer Street - Violation

There was no update

### 5. 582 Winthrop St. – Enforcement Order

Mr. Roach stated that everything had been done as requested.  
Mr. Evans made a motion to lift the enforcement order.  
Mr. Nicholson seconded the motion. Motion passes.  
Mr. Evans made a motion to waive the fines.  
Mr. Nicholson seconded the motion. Motion passes.

### 6. Foley – 55 Old Fall River Rd. – Enforcement Order

Mr. Materne stated that Mr. Roach will go out to the site and make sure that the ponded area is filled in with loam.

### 7. Pray – 46 Almeida Rd. – Enforcement Order

Mr. Choquette gave an update on the restoration work. Stated that the stream is flowing again.

### 8. 12 Katie Dr. – Enforcement Order

Mr. Materne stated that it has been too wet for the owner to conduct any work.

### 9. 370 Winthrop St – Enforcement Order

The commission agreed that a letter of impending fines be delivered via constable. If nothing has been done after that the commission agreed that they would issue fines.  
Mr. Evans made a motion that a notice of impending fines will be sent out on July 12, 2023.  
Mr. Choquette seconded the motion. Motion passes.  
Mr. Evans made a motion that the notice be delivered via constable.  
Mr. Nicholson seconded the motion. Motion passes.

### 10. 203 Moulton St. – Enforcement Order

Mr. Roach gave an update. Notified the commission that the property owner has stated that he will not comply with what the commission has requested.  
Mr. Evans made a motion to issue fines.

Mr. Nicholson seconded the motion. Motion passes.

**New Business**

**1. Viall Farms – Land Donation**

Mr. Lenny Mills, Jr. of Blanding Rd. was present.

Mr. Mills asked the status of the and donation stood?

Mr. Roach explained that we reached out to Town Counsel to make sure we didn't have to bring this to town meeting. We do not.

Mr. Mills stated he would get us the deed for Town Counsel review.

**ADJOURNMENT**

Mr. Nicholson made a motion to adjourn.

Mr. Habershaw seconded the motion. Motion passes.

Meeting adjourned at 8:39 pm.

For the Conservation Commission



---

Robert Materne, Chairman

---

David Evans, Vice-Chairman