

**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.  
Andrew Poyant, Con. Agent

**REHOBOTH CONSERVATION COMMISSION**  
**Meeting Minutes – August 21, 2018**

**Present:** Robert Materne, Dave Evans, Thomas Nicholson, Matt Habershaw, Stephen Choquette, Matt Kershaw, Associate Member Sara Huber, Conservation Agent Andrew Poyant

**Absent:** Krisna Prachanronarong, Associate Member Scott Pennoyer

**CALL TO ORDER**

Mr. Materne called the meeting to order at 7:00 PM with the pledge of allegiance.

**PUBLIC HEARINGS & MEETINGS**

**1. 582 Winthrop Street – Geisser – RDA**

Mr. Geisser was present on behalf of himself.

Mr. Geisser presented the plans.

Mr. Poyant stated that flags A5 & A9 needed to be moved 10 feet upgradient towards the property. There was insufficient information given to consider if there are isolated wetlands and if they are jurisdictional.

Mr. Materne stated that if the first wetland flag and the last wetland flag do not connect the wetland is considered BVW and it is jurisdictional. That would make the determination of the filing a Positive, which mean you would have to file a NOI.

Mr. Geisser asked what he could change in order to not have to file a NOI.

Mr. Materne stated that nothing could be change.

Mr. Poyant stated anything within 50' of a wetland line you have to file a NOI.

Mr. Materne stated that the wetland line has been verified, this does require that you file a NOI.

Mr. Geisser stated he can scale back the project to be within the 50' mark only.

Mr. Poyant explained the process again and how it pertained to the applicants filing.

Mr. Materne stated that if the application stays as a RDA then the plans need to be changed to show all work outside of the 50' buffer zone of the wetlands.

Mr. Geisser requested a continuance until September 18, 2018.

Mr. Materne asked if there was anyone in the audience with questions or concerns, there were none.

Mr. Evan made a motion to continue the public hearing until September 18, 2018.

Mr. Habershaw seconded the motion. Motion passes.

**2. Barney Ave. –Hass – ANRAD – SE60-1110**

Mr. Poyant states that the application and plans had been sent out for peer review.

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OFFICE OF THE TOWN CLERK  
REHOBOTH, MA

3. 111 Summer Street – Babbitt – ANRAD – SE60-1111

Ms. Karen Patneau of Earth Services Corporation was present.

Ms. Patneau stated that revised plans had been provided to the commission.

Mr. Materne stated that the revised plans were for the NOI application not the ANRAD. The ANRAD plans need to be revised to show the issues discussed at the last meeting.

Ms. Patneau stated she was unaware that there were changes requested for the ANRAD plan.

Mr. Materne stated that the flagging being incorrect will give incorrect calculations.

There was discussion in regards to how much riverfront could be altered. The public hearing was tabled until the Riverfront Protection Act could be found to clarify the issue.

4. 40 Fall River Ave – Nordstrom – RDA

Mr. Patrick Corcric on EnviroTrack was present.

Mr. Corcric presented plans.

Mr. Materne asked if all the work was being done in the parking lot outside of the wetlands.

Mr. Evans asked how much oil was spilled.

Mr. Corcric stated he was not sure how much was spilled and the work being proposed is only in the driveway. The applicant filed with the commission in case there are spotty issues.

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

Mr. Habershaw seconded the motion. Motion passes.

5. 111 Summer Street – Babbitt – NOI – SE60-1112

The public hearing was restarted.

Mr. Materne read the Riverfront Protection Act and explained how much riverfront is allowed to be altered.

Ms. Patneau requested a continuance until September 11, 2018.

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

Mr. Evans made a motion to continue the public hearing until September 11, 2018.

Mr. Habershaw seconded the motion. Motion passes.

6. Behind 48 & 50 Colonial Way – DuVally – ANRAD – SE60-1115

Mr. Materne recused himself.

Ms. Huber recused herself.

Mr. Rob Davis from Insite Engineering was present.

Mr. Davis presented plans.

Mr. Poyant gave an update to the commission.

Mr. Davis requested a continuance until September 18, 2018 in order for the application to go out to peer review.

Mr. Nicholson made a motion for the application and plans to go out for peer review.

Mr. Habershaw seconded the motion. Motion passes.

Mr. Evans asked if there was anyone in the audience that had questions or concerns, there were none.

Mr. Nicholson made a motion to continue the public hearing until September 18, 2018.

Mr. Habershaw seconded the motion. Motion passes.

7. 33 Pond Street – Brisson – NOI – SE60-1116

Mr. Peter Lavoie from Landmark Site Development was present.

Mr. Lavoie presented plans.

Mr. Materne stated that the IVW flag line needs to be connected. The wetland line on the southern side the numbers are black and hard to read. Then asked if the triangle near the well was lawn or access to the well.

Mr. Lavoie stated that it was access to the well.

Mr. Materne stated to make a haybale line as wide as the truck.

Mr. Evans questioned a small line of erosion control on the property to the NE. The haybales are on a down gradient portion of land.

Mr. Lavoie stated that there is a small fish pond on the neighboring property they want to protect as well.

Mr. Lavoie requested a continuance until September 11, 2018.

Mr. Evans made a motion to continue the public hearing until September 11, 2018.

Mr. Nicholson seconded the motion. Motion passes.

## **VIOLATION & CONCERNS**

### **1. 364 Winthrop Street – Mendonca – Riverfront Alteration**

Mr. Poyant stated that the home owner has hired someone to fix the issue.

Mr. Materne stated that Mr. Poyant needs to keep in touch with them.

### **2. 588 Winthrop Street – DeBlois – wetlands issue**

Mr. DeBlois was present.

Mr. Materne stated that there was a large portion of land in the back of the property that was lawn. Then questioned when the lawn was put in.

Mr. DeBlois stated that it has always been there. He has original plans from 1999 that show the land has never been altered.

Mr. Materne stated that the commission had been on an abutters property and thought there were wetlands that may have been filled in.

Mr. DeBlois stated that there used to be school busses on that part of the property, they caught fire and the town cleaned the area up.

Mr. Materne apologized to Mr. DeBlois. Thanked him for coming in and speaking with the commission.

### **3. 2 Williamsfield Lane – Geislinger – Cease & Desist Order**

Mr. Materne stated that this property was supposed to be cleaned up in July, nothing has been done. The office has been unable to reach the property owner.

Mr. Evans stated that the commission will give them one last chance to come in and speak to the commission then the issue should go to town counsel.

### **4. Eastwood Estates – 19 Skyla Way -DuVally- Silt in Wetlands**

Mr. Poyant started that he has been in contact with the owner. They are working to fix the issues.

### **5. 471 Tremont Street – Melo – Violation**

Mr. Steven Mello & Mr. Alex Tarkin were present.

Mr. Materne stated that there needs to be erosion control put in place. The wetland line needs to be staked.

Mr. Evans stated the first step is to remove the stumps and debris in the wetlands.

Mr. Habershaw stated that the areas on the property that have not been touched are growing very well. He didn't feel that any replication would need to be done.

Mr. Materne stated that the owner would need to purchase a wetland seed mix.

Mr. Nicholson stated he felt there needed to be wetland signs on the property marking the wetland line location.

Mr. Habershaw stated that the stumps need to come out as soon as possible. The wetland seed mix should be fine, and the work should be done by September.

Mr. Habershaw also stated that 4 wetland signs should be adequate. They need to be installed on a strong post. The property should also be inspected in the spring to confirm that the wetland seed mix is still stable.

#### 6. 150 Barney Ave - Violation

Mr. Rob Davis from InSite Engineering was present on behalf of the property owner. Mr. Materne explained what the commission felt the issue on the property was. There was discussion in regards to how the wetlands were flagged and if it was accurately done. Mr. Poyant stated that he would follow up with DEP, as that is where the complaint came from, and let them know what the commission and the owner's representative had stated. Mr. Evans stated that the wetlands need to be determined in order to determine if there is violation. Mr. Davis stated that he felt the property area in question had spots of vegetation and didn't feel the entire area is wetlands. Mr. Davis also stated that the 200' Riverfront area would be the limit of resource area. The commission discussed if soils needed to be done on the site and if there is filling then replication would need to be done. Mr. Evans stated that he felt the commission needed DEP's help on this potential issue. Mr. Poyant stated that he agreed with Mr. Evans. He would follow up with them and read through the RDA filing on the property. Mr. Materne stated that he agreed to that as well.

#### 7. 29 Francis Street - Johnson & Wales - Violations

Mr. Materne explained the current situation to the representatives of the property. Mr. Tim O'Conner from Johnson & Wales, Ms. Jackie Bower and Lauren Brisco from PARE Engineering were present. Mr. Evans stated that the debris needed to be removed and a fence needed to be put in place so the horses are not in the wetlands. Ms. Bower stated that all the issues are on the agenda with Johnson & Wales to be taken care of. Mr. Materne summed up the discussion between the commission, the property owners' and their representatives. Mr. Evans stated that there was a question in regards to the stream brought up as well. Mr. Poyant stated that there was cutting done near the stream. Mr. Evans stated that vista pruning is an exempt activity. Mr. Materne stated that Mr. Poyant would create a written narrative for the Commission, the property owners and their representatives. Mr. Materne also stated that the property owner would have 30 days to get the issues resolved. If there were any problems with getting that done to stay in contact with Mr. Poyant.

#### 8. 21 New Street - Wetland / Riverfront Violation

Mr. Materne stated that the property owner was given 30 days to fix the property.

#### 9. 248 Winthrop Street- Violation

Mr. Materne stated that the property is being cleaned up. The commission is waiting to hear back from the property owner.

### MINUTES

#### 1. May 22, 2018

Mr. Evans made a motion to approved the meeting minutes with edits. Mr. Habershaw seconded the motion. Motion passes.

### GENERAL BUSINESS

#### 1. Reorganization of the Commission

Mr. Habershaw nominated Mr. Materne for Chairman.

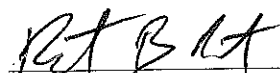
The nomination was seconded by Mr. Evans. Nomination passes.  
Mr. Nicholson nominated Mr. Evans as Vice-Chairman.  
The nomination was seconded by Mr. Habershaw. Nomination passes.  
Mr. Evans nominated Mr. Choquette for the Gravel Committee.  
The nomination was seconded by Mr. Habershaw. Nomination passes.

#### **ADJOURNMENT**

Mr. Nicholson made a motion to adjourn the meeting.  
Mr. Evans seconded the motion. Motion passes.

Meeting adjourned at 9:15 pm.

For the Conservation Commission

  
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Robert Materne, Chairman

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David Evans, Vice-Chairman