

## REHOBOTH CONSERVATION COMMISSION

### Meeting Minutes – August 17, 2010

**Present:** Chairman Scott Pennoyer, Vice Chairman Wendy Skinner, Thomas Nicholson, Robert Materne, Alan Gosling, Krishna Prachanronarong, James Payon, Dave Perry and; Conservation Agent Leeann Bradley.

**Absent:** Associate Member: Karl Drown and Stormwater Officer Michael Costello

### CALL TO ORDER

**Ch. Pennoyer** called the meeting to order at 7:03 PM

### CONCERNS & COMPLAINTS

#### 1. 62 Blanding Road – manure/mulch pile.

Mr. Pennoyer stated that the commission had been back out to the site and the manure pile has been moved off site.

#### 2. Route 6 – Palmer River – Possible Salt Marsh Alteration

Ms. Benveides was present.

Mr. Pennoyer stated that there were some sea shells and work in the resource area. There is one area where they are high. What are your intentions?

The owner of the property was present.

He explained that the area was flooded and they used more shells to prevent dirt from running into the resource area. He wants to open a clam shack and ice cream stand.

Ms. Benveides stated that they were just trying to better the property.

Mr. Pennoyer stated that in the future rip rap should be installed on the slope. Come to the commission first.

Mr. Perry stated if you do anything there you should contact the office.

Mr. Pennoyer stated to take out the car stops, come to the commission with a plan and we will go from there. Allow the resource area to revegetate and keep the haybales in place.

#### 3. 15 Marshall Way – Possible BVW / Pond Alteration

Mr. Pennoyer stated that he had gone out and taken a look at the property. The owner is still in his purview under a minor exempt activity.

Ms. Bradley stated that the complaint was he was making a beach.

Mr. Pennoyer stated that there is no beach or loads of sand.

#### 4. Lincoln School – Danforth Street – Siltation in Pond/ BVW

Ms. Skinner stated that everything seems well vegetated, there is no silt.

Mr. Pennoyer requested that Ms. Bradley send a letter to the owner.

Ms. Skinner stated to add in the letter for them to remove the stakes from the field.

Mr. Pennoyer stated that all siltation control can be removed. They should apply for a COC.

#### 5. Locust Avenue – Tree Cutting, Shed, Dock on Palmer River

Mr. Pennoyer stated that Ms. Bradley should check on the property.

Ms. Bradley stated the owners has let everything grow back, but she will check on it.

### GENERAL BUSINESS

#### 1. RePAC Broadcast Update – James Paon

Mr. Paon gave the commission and update regarding his meeting with Mr. Roger Breault and Mr. Ed Shagrin of RePAC. He explained the reasons given to him by RePAC as to why meetings were not aired

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20 SEP 10 PM 1:50  
OFFICE OF THE TOWN CLERK  
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live. He explained how the issues may become resolved. He also explained the index program and how it works.

### **PUBLIC HEARINGS & MEETINGS**

#### **1. Sturdy Memorial Hospital – 538 Winthrop Street – NOI – SE60-916**

Mr. Otis Dyer, Jr. was present.

Mr. Dyer presented plans.

Mr. Nicholson asked if the wetland line had been refreshed since 1995?

Mr. Dyer replied yes.

Mr. Pennoyer stated that the drainage is overrated, is that before or after parking is added.

Mr. Dyer stated after.

Mr. Pennoyer asked if the project meets the minimum requirements for stormwater?

Mr. Dyer replied yes.

Mr. Pennoyer stated that flag B6 needs to be moved upland 10ft at the tow of the slope. There is an area of debris at flag B2. This needs to be removed.

Ms. Skinner asked if the tree near area 2 was being removed?

Mr. Dyer replied no.

Mr. Pennoyer stated that the fence around the dumpster needs to have zero clearance to the asphalt.

Mr. Dyer stated he would put it on the plans.

Mr. Paon asked if the sidewalk was going to continue?

Mr. Dyer stated no, there is no room.

Mr. Dyer requested a continuance until September 7, 2010.

Ms. Skinner made a motion to grant a continuance until September 7, 2010.

Mr. Nicholson seconded the motion. Motion passes.

#### **2. Lillie Mae Realty Trust – 367 Anawan St. – NOI – SE60-906**

Mr. Pennoyer stated that the applicant has requested a continuance until September 7, 2010.

Ms. Skinner made a motion to grant a continuance until September 7, 2010.

Mr. Nicholson seconded the motion. Motion passes.

#### **3. Conway – 62 Maple St. – NOI – SE60-914**

Mr. Pennoyer stated that the applicant has requested a continuance until September 7, 2010.

Ms. Skinner made a motion to grant a continuance until September 7, 2010.

Mr. Paon seconded the motion. Motion passes.

#### **4. Prachanronarong – Agricultural Ave. – NOI – SE60-915**

Mr. Pennoyer stated that the applicant has requested a continuance until September 7, 2010.

Ms. Skinner made a motion to grant a continuance until September 7, 2010.

Mr. Nicholson seconded the motion. Motion passes.

#### **5. Kennedy – 216 Homestead Ave. - RDA**

Mr. Manny Mello of MG Mello Associates was present.

Mr. Mello presented plans.

Mr. Pennoyer asked if anyone in the audience had any questions. There were none.

Ms. Skinner made a motion to issue a Negative 3 Determination.

Mr. Nicholson seconded the motion. Motion passes.

### **GENERAL BUSINESS**

#### **2. 61a-rofr – Lot 3 – 4.99ac – Reservoir Avenue**

Mr. Pennoyer stated that the commission usually defers to the Agricultural Commission. Then explained the process.

Ms. Skinner made a motion to issue a letter to the Board of Selectmen stating that the commission defers to the Agricultural Commission.

Mr. Nicholson seconded the motion. Motion passes

3. Request for Extension – 11 Steber Way – SE60-808

4. Request for Extension – 7 Steber Way – SE60-809

5. Request for Extension – 16 Steber Way – SE60-810

6. Request for Extension – 20 Steber Way – SE60-811

Mr. Pennoyer asked Ms. Bradley what her recommendation was?

Ms. Bradley recommended issuing a 1-year extension.

Mr. Nicholson made a motion to issue a 1-year extension for the above-named projects.

Ms. Skinner seconded the motion. Motion passes.

7. Request for COC – 6 Meadowlark Dr. – SE60-848

Ms. Skinner recused herself.

Ms. Skinner asked if the bounds were in?

Ms. Bradley stated they were.

Mr. Nicholson made a motion to issue a COC.

Mr. Paon seconded the motion. Motion passes.

8. Request for COC – 10 Meadowlark Dr. – SE60-851

Ms. Skinner recused herself.

Mr. Nicholson made a motion to issue a COC.

Mr. Paon seconded the motion. Motion passes.

9. Cangral – 125 Summer Street – Culvert

Mr. Chris Lambert and Mr. Michael Carment of CLE Engineering were present.

Mr. Pennoyer gave the commission the history of the property.

Mr. Lambert presented plans created by SiTEC Engineering per a court order and the abutter. The property owner and their engineer are in agreement with the plans.

Mr. Nicholson stated the only thing he would add is the time in which this gets done. It can't be done at the time of a storm event.

Mr. Pennoyer asked when do you plan to start work?

Mr. Lambert replied that the work has to be done by the end of September.

Ms. Bradley asked if the commission wanted to see an as-built plan when the project was completed?

Mr. Pennoyer stated that the commission would make this a requirement. Then explained how this project should be handled.

Mr. Lambert asked if siltation control should be installed prior to the start of the project?

Mr. Pennoyer replied yes. It will need to be inspected before work can start. You will need to call me or the office 24 hours prior.

Mr. Nicholson stated that the as-builts need to verify invert elevations.

Mr. Pennoyer asked who would be doing the work?

Mr. Lambert replied the home owners son.

Mr. Pennoyer stated that he would need to be notified 24 hours in advance to any work taking place. Is someone from the engineering firm going to be on site?

Mr. Lambert replied yes.

Mr. Pennoyer asked if they would be able to get as-builts to the commission by September 21<sup>st</sup>?

Mr. Lambert stated that the only issue would be getting pipe delivered on time.

Mr. Pennoyer stated that the Conservation Commission would be in their rights to fine you \$300/day and we waived that.

Mr. Carment stated that it is going to depend on the person doing the work.

Mr. Pennoyer asked if they would need to provide as-builts by September 30<sup>th</sup>, or sooner.

Ms. Skinner made a motion to issue an Enforcement Order requiring the property owner to repair and replace the culvert per the plans, provide an as-built by September 30<sup>th</sup>, call Mr. Pennoyer 24 hours prior to installation of siltation control and commencement of work, and that a representative from CLE Engineering be on site during the project.

Mr. Nicholson seconded the motion. Motion passes.

### MINUTES

Minutes were tables until a future meeting.

### INVOICES

1. Office Land – Nameplates (3) - \$29.85

2. W.B. Mason – Office Supplies - \$54.13

Ms. Skinner made a motion to pay the above-named invoices.

Mr. Paon seconded the motion. Motion passes.

### PUBLIC HEARING

10. Cordeiro – 97 Salisbury St – Issue OOC – SE60-908

Mr. Pennoyer went through the process of how OOC are issued for the new members and special conditions. He asked the commission what they wanted to do with this particular project? At the last meeting additional information was requested and has been received. We can either issue a denial. Issue an approval as proposed, or issues an approval with modifications.

Each member of the commission gave their reasons as to what they felt could or couldn't be approved.

Ms. Skinner made a motion to deny the project per the plan presented.

Mr. Gosselin seconded the motion.

There was further discussion regarding the project.

Mr. Paon was against the denial. Motion passes.

### GENERAL BUSINESS

11. Stormwater Committee

Mr. Nicholson brought to the commission's attention that Mr. Peter Richmond, Highway Superintendent, had sent a letter regarding the Stormwater Committee. Mr. Richmond stated in the letter that he does not have time to do all the administrative duties as the Stormwater Officer, since losing Mr. Michael Costello as Stormwater Officer.

Mr. Nicholson stated he was not sure how the committee was going to carry on without administrative support. He has written a letter to the Town Administrator to see if it is the Stormwater's budget to hire a part-time clerk. He is waiting to hear back. He will keep the commission posted.

### Adjournment

The commission went into Executive Session at 8:55 PM

For the Conservation Commission,

  
Robert Materne – Chairman

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David Evans – Vice Chairman