

**CONSERVATION
COMMISSION**
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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 – August 23, 2022

Present: Robert Materne, Chairman, Dave Evans, Krisna Prachanronarong, Stephen Choquette, Matt Kershaw, Associate Member William Morgan, Daniel Roach Conservation Agent.

Absent: Thomas Nicholson, Matt Habershaw.

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. Ishaq – 54 Cameron Way – ANRAD – SE60-1294

Continued from a previous public hearing.

2. Ishaq – 54 Cameron Way – NOI – SE60-1296

Continued from a previous public hearing.

3. Bliss – 147 Agricultural Ave. – NOI – SE60-1293

Mr. Scott Rolfe of OHI Engineering was present.

Mr. Materne stated that the wetland line is accurate.

Mr. Rolfe presented plans.

Mr. Materne asked if the commission had any questions or concerns; there were none.

Mr. Materne asked the commission if they felt wetland signs were needed on this site?

The commission agreed they were not needed.

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

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

Mr. Prachanronarong seconded the motion. Motion passes.

Mr. Evans made a motion to issue Order of Conditions.

Mr. Choquette seconded the motion. Motion passes.

4. Strojny – 170 Tremont St. – RDA

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

Tabled until later in the meeting.

5. Guay – 342 Winthrop St. – NOI – SE60-1295

Tabled until later in the meeting.

6. National Grid – Various Locations - RDA

Tabled until later in the meeting.

General Business

1. Reorganization of the Commission

Mr. Evans made a motion to keep the composition of the board exactly the way it is.

Mr. Choquette seconded the motion. Motion passes.

Public Hearings and Meetings

7. National Grid – Various Locations – RDA

Adam Rosenblatt of VHB engineering was present.

Mr. Rosenblatt presented plans.

Mr. Materne asked the commission if there were any questions or concerns?

Mr. Choquette asked if they had a program to donate trees back to the town. Since there are so many trees being taken down.

Mr. Rosenblatt stated he was not aware of any program. The forester for National Grid is Dave Donohue. He has been working with the Tree Warden. If there is something that the town is looking for speaking to the Tree Warden would be the most appropriate thing to do. He would also bring anything back to the company that the commission would like.

Mr. Rob Johnson, Tree Warden was present.

Mr. Johnson explained how the process had been being handled. Stated that they have been replacing trees for the town for the last few years and have been consistent with it.

Mr. Materne asked if the commission had any other questions or concerns; there were none.

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

Mr. Evans made a motion to issue a Negative 2 determination.

Mr. Prachanronarong seconded the motion. Motion passes.

8. Strojny – 170 Tremont St. – RDA

Mr. Mark Mariano of Oakhill Engineering was present.

Mr. Mariano presented plans.

Mr. Materne stated that the wetland line is accurate.

Mr. Materne asked the commission if there were any questions or concerns; there were none.

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

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

Mr. Choquette seconded the motion. Motion passes.

9. Guay – 342 Winthrop St. - NOI- SE60-1295

Mr. Brad Fitzgerald of SFG Engineering was present.

Mr. Fitzgerald presented plans.

Mr. Materne stated that the wetland line was verified, the MAHW line was not depicted on the plan. This is a septic repair. I don't feel that there would be a need to delineate the MAHW line.

Mr. Materne asked if they plan to do anything with the shed?

Mr. Fitzgerald stated he didn't know. Asked if the commission wanted it take down?

Mr. Materne stated that this would be a good time to take care of it, while the other work is being done. There is no need to touch the concrete slab. We would like conservation signs at flags 13 & 16.

Mr. Evans stated that in the orders it should state that the shed is to be removed. Using best management practices and the concrete slab will remain.

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

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

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

Mr. Choquette seconded the motion. Motion passes

Mr. Evans made a motion to issue Order of Conditions with a special condition relating to the shed as was discussed.

Mr. Choquette seconded the motion. Motion passes.

General Business

2. Reappointment of William Morgan – Associate Member

Mr. Evans made a motion to re-appoint Mr. Morgan as the Associate Member.

Mr. Choquette seconded the motion. Motion passes.

3. Hass – 253 Pine St, 66 Broad St., Lot 31A Broad St., Map 37 – Lot 24,63,56,57,58,59,60,61, & 62 – Coming out of Chapter 61A

Mr. Materne spoke in regards to the properties above.

Mr. Evans made a motion to not exercise our right of first refusal.

Mr. Choquette seconded the motion. Motion passes.

4. Freitas – 32 Bay State Rd. – SE60-622 – Request for COC

Mr. Roach stated that everything seemed to have been done according to the Order of Conditions. It was a little difficult based on the age of the orders. Recommended granting the COC.

Mr. Evans made a motion to issue a Certificate of Compliance.

Mr. Choquette seconded the motion. Motion passes.

5. Signatory Authority – Discussion/Vote

Mr. Choquette made a motion to grant signatory authority to Mr. Materne, Mr. Evans, and Mr. Roach.

Mr. Prachanronarong seconded the motion. Motion passes.

6. Historical Commission – Discussion of Barn at Greer Farm & Property – Artie Pierce & Rob Johnson

This item was tabled until the next meeting.

7. Ticket Book, Letter for Violators

This item was tabled until the next meeting.

8. Conservation Commission Updates Surveying of Conservation Properties

Mr. Materne stated that the commission would need to look at Greer Farm, Danforth Street property, and Walter Munroe property. We have to have a baseline survey done of each property. This is a requirement of the Conservation Restrictions. He had also spoke to some people about finding the boundary lines on our properties. Then we can mark the boundary.

9. Agent Update

Mr. Roach spoke in regards to the boundary marker signs. The company that does our wetland boundary signs had provided a quote.

Mr. Materne stated he would like to get a second quotes.
Mr. Roach stated he would take care that.

Concerns & Complaints

1. Clinton Drive – Concern

Mr. Materne stated that this property is still being worked on.

Violations

1. Rego – 23 Winthrop St – Enforcement Order

There was no update.

2. Alves – 29 County St – Enforcement Order

There was no update.

3. Cordeiro – 97 Salisbury St – Enforcement Order

There was no update.

4. Morrissey – 72 Martin St. – Enforcement Order

Mr. Bruce Webb of EcoSystem Solutions was present.

Mr. Webb stated that the current state of this project is that they are waiting to have a plan completed by the engineer.

Mr. Materne stated that the applicant has become nonresponsive, it has been over a year. Asked when the planting seasons ends?

Mr. Choquette stated that the guidelines is October 15th.

Mr. Materne stated that we need the plan to approve the plantings. We need the plan by the next meeting.

Mr. Evans stated that the plan needs to include a planting schedule for this year.

5. 172 Summer Street - Violation

Mr. Materne stated that the Board of Selectmen have the report and letter to sign. It is up to them to get that to DEP.

6. 582 Winthrop St. – Enforcement Order

There was no update.

7. Foley – 55 Old Fall River Rd. – Enforcement Order

Mr. Materne asked for an update.

Mr. Roach stated he has not heard from them.

8. 12 Katie Dr. – Enforcement Order

Mr. Bruce Webb of EcoSystem Solutions was present.

Mr. Webb stated that Mr. Faneuf has personally taken this project on at the request of the client. Work is being done.

Mr. Choquette asked if the property owner's attorney had made a decision? Where does this stand?

Mr. Webb stated that the wetland line has been flagged. The restoration plan has been drafted. It has not been reviewed by the attorney.

Mr. Evans stated that most of this situation is taking stuff out of the wetlands and the wetlands should revert back.

This was discussed further.

Mr. Choquette asked Mr. Webb to let Mr. Faneuf know that the commission wants this project completed by the fall.

Mr. Webb stated he would let him know.

9. Pray – 46 Almeida Rd. – Enforcement Order

Mr. Materne stated that the DEP & Mr. Faneuf had emailed the commission a restoration plan for any comments or revisions that the commission feels are necessary.

The commission discussed the following changes or additions:

- When you speak of Mass DEP the Rehoboth Conservation Commission should also be included in correspondence or within the correspondence and site walks.
- On the Restoration plan you state on pg. 9, “Bio solids that can’t be removed without disturbing the subsoil underneath shall be left in place.” Add unless testing finds toxic materials in the biosolids. Then in that case all biosolids must be removed if proven toxic.
- Also, on pg. 9 in regards to slash, there is a lot of slash present on site. Added pile sizes must be reasonable. Any extra slash must be removed and taken off site.
- Pg 10. In regards to removal of the biosolids, added any remaining biosolids deemed safe grading will take place. More material can be brought in from non-invasive free areas if necessary.

Mr. Morgan stated that there are two parts of this. 1. The biosolids being removed & 2. The restoration & reconstruction of the stie. Once the biosolids are removed he felt that commission should revisit the site to see if we agree that everything has been removed and determine what the full scale of restoration is required.

Mr. Bruce Webb of Ecosystem Solutions was present.

Mr. Rob Johnson, Board of selectman, was present.

Mr. Webb stated that it is typical in a restoration if we have to remove material that we would do a bottom inspection. An inspection at that phase of the restoration would be done.

Mr. Materne asked that that be written up based on what Mr. Morgan has stated. Add a pre-grading and restoration site visit to the restoration plan.

Mr. Choquette stated that there is no way to know if soils have non invasive species in them. You may need to redesign the wetlands.

Mr. Webb stated that he could recommend, to his team, invasive control, if necessary.

Mr. Materne stated to take away his comment on bringing in noninvasive soils and changing it to a redesign of the restoration area may be necessary.

Mr. Choquette stated he would agree with that.

- On the stream restoration – you did not mention anything in regards to elevation. They have to be a level where water stays in for a longer period of time.

Mr. Webb stated he believed there was a reference to using digital elevation models.

This was discussed further.

Mr. Materne could you clarify that in the restoration plan.

- Trees & shrubs – the tree count is light, what was destroyed was much tighter than this will be. There should be 400-500 trees. 60-70 trees/acre. The shrub count is ok. Group them tighter more dense mass plantings.

Mr. Evans asked if the trap rock was going to pulled out of the resource area at the driveway and parking area?

Mr. Webb stated upon completion.

Mr. Evans at the crossing area you are going to get it as close to the existing stream as possible?

Mr. Webb stated correct.

Mr. Evans asked if the driveway on the upland side was being removed or left alone, it is being left alone, correct?

Mr. Webb stated correct.

Mr. Evans asked that be clarified.

Mr. Materne asked if the driveway being removed as soon as everything is done or three years from now?
Mr. Webb stated he will define a time frame on that.

- A narrow access road remains until proof of a 75% success rate. Either 2 years or 3 years. Then the driveway can be completely removed.

Mr. Materne stated that on the easterly side of the field you will need a gate to keep people out.
The commission and Mr. Webb discussed the rest of the drafted document further.

- The Rehoboth Conservation Commission shall have permission to access the property during the duration of the restoration and attend all pre-construction meetings.
- Look into having the APR Committee involved in this restoration.

Mr. Kershaw asked if there is a contingency plan if the results come back that the slug is toxic?

Mr. Webb stated not at this time.

Mr. Arthur Gareau of 190 New Street was present.

Mr. Gareau stated the Water Commission & the Agricultural Commission do not have this report. He had received a copy from Mr. Nicholson.

Mr. Materne explained that this document was sent by DEP and that it was a confidential report because of the investigation. Because the applicant's representative sent a report to the Conservation Commission, which makes it a public record, we were able to speak about it in a public forum. This report is just in regards to the wetland restoration.

This was discussed further.

Mr. Al Bouchard of Wheaton Ave. was present.

Mr. Bouchard asked will more testing take place in the virgin soil, once everything has been removed from the stie?

Mr. Webb stated that he was not sure how much more testing is planned for the stie.

Mr. Materne stated he would ask DEP.

Mr. Bouchard asked what testing we were waiting for?

Mr. Materne stated he would find out.

This was discussed further.

Ms. Carol Entin of 105 Martin St. was present.

Ms. Entin asked if the trees and shrubs that are chosen were native species?

Mr. Webb stated they are.

Ms. Entin asked when the restorations are done are some areas that are created just as shrublands and forested areas?

Mr. Webb stated that this restoration plan did not differentiate between the two areas. It is an equal mix of both across the site.

This was discussed further.

Mr. Johnson stated that his reasoning in regards to being present at the meeting.

Meeting Minutes

1. July 20, 2021 – Discussion/Vote

Mr. Materne made edits.

Mr. Evans made a motion to accept the minutes as edited.

Mr. Choquette seconded the motion. Motion passes.

2. July 20, 2021 – Executive Session – Discussion/Vote

Mr. Evans made a motion to accept the above-named meeting minutes.

Mr. Choquette seconded the motion. Motion passes.

ADJOURNMENT

Mr. Choquette made a motion to adjourn.

Mr. Evans seconded the motion. Motion passes.

Meeting adjourned at 8:45 pm.

For the Conservation Commission



Robert Materne, Chairman

David Evans, Vice-Chairman