

**CONSERVATION
COMMISSION**
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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.
Daniel Roach, Agent

REHOBOTH CONSERVATION COMMISSION
Meeting Minutes – February 5, 2019

Present: Robert Materne, Chairman, Dave Evans, Vice Chairman, Thomas Nicholson, Matt Habershaw, Krisna Prachanronarong, Stephen Choquette, Matt Kershaw, Associate Member Sara Huber, Office Administrator Stacy L. Vilao, Daniel Roach Conservation Agent

Absent: 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. 30 Nichols St. – Dewhirst – RDA

Mr. Chris Dewhirst was present on behalf of himself.

Mr. Materne stated that the commission had gone out to the site. There are wetlands all around the property. The wetlands need to be marked. The commission will need a better drawing of the project.

Mr. Dewhirst asked if the corner of the house is more than 50 feet from the wetlands what should he do?

Mr. Evans stated that as long as the commission knows where the limit of work is the commission can help you figure out the wetland line.

Mr. Dewhirst stated that he would be away at the time of the next site walk.

Mr. Evans asked if the commission had Mr. Dewhirst's permission to enter the property.

Mr. Dewhirst replied yes.

Mr. Dewhirst requested a continuance until February 19, 2019.

Mr. Evans made a motion to grant a continuance until February 19, 2019.

Mr. Nicholson seconded the motion. Motion passes.

2. 47 Francis Street – DuVally – NOI – SE60-1134

Mr. Chris Andrade from InSite Engineering was present on behalf of the applicant.

Mr. Andrade presented plans.

Mr. Materne stated that the commission had gone to the site. The commission is requesting that the replication area be moved to avoid rocks and trees. The replication area needs to be elongated.

Mr. Habershaw stated that the rocks shouldn't be involved, the tree need to be considered.

Mr. Materne asked the commission how they should move ahead to permit the project.

Mr. Nicholson drew on the plans, and showed Mr. Andrade how the replication area should change. Also stated that an Authorization to Proceed will not be issued until revised plans are received.

Mr. Phil Terrier of 49 Francis Street was present.

Mr. Terrier stated that there is only one house being proposed, not a subdivision. He would like to see the revised plans with the new replication area. He also asked about drainage of water and how that would affect his property.

Mr. Evans stated that there should be no more water pre-& post construction. Also explained to Mr. Terrier had the right to appeal the decision of the commission.

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

Mr. Habershaw seconded the motion. Motion passes.

Mr. Evans made a motion to issue Order of Conditions with a new replication area made on plans, based on the drawing made by Mr. Nicholson. No Authorization to Proceed will be issued until revised plans are received.

Mr. Habershaw seconded the motion. Motion passes.

3. 39 Starr Lane – Almeida – NOI – SE60-1133

Mr. Chris Andrade from InSite Engineering was present on behalf of the applicant.

Mr. Andrade presented plans.

Mr. Materne stated that wetland line is accurate. Asked if the well area will be allowed to revegetate?

Mr. Andrade replied yes.

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

Mr. Nicholson seconded the motion. Motion passes.

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

Mr. Nicholson seconded the motion. Motion passes.

4. 23 Park Street – Thurber - RDA

Mr. Mark Mariano from Oakhill Engineering was present on behalf of the applicant.

Mr. Mariano presented plans.

Mr. Materne stated that the commission did not verify the wetland line because it is over 600 feet. The applicant will need to file an ANRAD. Also stated that the wetland flags on the plans that are not needed can be removed.

Mr. Mariano asked if the ANRAD will go out to an engineer for a peer review?

Mr. Materne stated that the commission will try to verify the wetland line, because this is an application for a single-family home. If the line is difficult to verify it will have to go to an outside consultant for peer review.

Mr. Mariano requested a continuance until February 19, 2019.

Mr. Evans made a motion to grant a continuance until February 19, 2019

Mr. Habershaw seconded the motion. Motion passes.

5. Beside 3 Park Street – DuVally – RDA

Mr. Chris Andrade from InSite Engineering was present on behalf of the applicant.

Mr. Andrade present plans.

Mr. Materne stated that the commission had verified the wetland line, only near the proposed well.

Mr. Evans made a motion to issue a Negative 3 determination, accepting only the wetland line near the proposed well.

Mr. Habershaw seconded the motion.

6. 29 Francis Street – Johnson & Wales - RDA

Ms. Lauren Gluck from PARE Engineering was present on behalf of the applicant.

Ms. Gluck stated that she is withdrawing the RDA application, but did still have questions of the commission. She asked about the application and how it stands if she files a NOI. She spoke in regards to vista pruning.

Mr. Materne stated that the applicant would need to file an NOI in order to go into the wetlands and pull out plants and plant something new.

Ms. Gluck asked about mowing the area once or twice a year.

The commission discussed that the applicant had violations in the past and fixed every concern the commission had. At that time the commission gave the facility permission to mow a path only near the paddocks for the safety of the horses. There is no reason to file a NOI provided the applicant doesn't take any plants out of the wetlands.

Mr. Evans requested the applicant to put together a letter letting the commission know exactly what is going to place on the property for maintenance near the wetlands.

Mr. Materne stated that the specific areas should be referenced in the letter.

GENERAL BUSINESS

1. Eastwood Estates – Phase II

Mr. Materne asked the applicant to revise the replication area. Then asked the commission how a partial Authorization to Proceed should be issued and worded to start work and have a time frame for revised plans.

Mr. Choquette stated that the applicant has 30 days to submit revised plans to the commission, otherwise the partial Authorization to Proceed will no longer be valid.

CONCERNS & COMPLAINTS

1. 181 Winthrop Street – A Class Glass – Debris in Wetlands

Mr. Vinny Onorato the owner of the property was present.

Mr. Materne stated that the commission had been on the street near the gravel driveway. There is siltation washing into the stream. Something needs to be put in place to protect the stream.

Mr. Choquette stated that there are tree stumps in the back of the property that need to be removed. There should be a berm in place to protect the stream.

Mr. Habershaw stated that the berm could be crushed stone.

Mr. Onorato asked if he could meet the commission on site to look at the issues.

The commission agreed to place it on the next sit walk list for February 17, 2019.

2. 471 Tremont Street – Mello

Ms. Vilao stated that the certified mailed Enforcement Order came back in the mail unclaimed.

Mr. Materne stated to call the realtor and ask for the owners contact information, also let her know that there is now an Enforcement Order on the property.

3. 53 Water Street – Concern

Ms. Vilao stated that the owner's have contacted the office and will be at the meeting of February 19, 2019.

4. 164 Reynolds Ave – Lift Enforcement Order

Mr. Materne stated that the wetland signs have been installed, a few of them need to be turned around to face the back of the house.

Mr. Habershaw made a motion to lift the Enforcement Order.

Mr. Choquette seconded the motion. Motion passes.

5. The Reserve – Spring Street – Dumontier

Mr. Evans stated that he would go out and check this site.

6. 584 Winthrop Street - Concern

Ms. Vilao explained to the board that an abutter to the property had come into the office concerned that there was work being done on the property.

Mr. Materne stated that he would go out and look at the property, if necessary, a letter to cease and desist will be mail. Requested Ms. Vilao to send a letter to request the property owners to come into the meeting on February 19, 2019.

GENERAL BUSINESS

1. 2018 Annual Report

Mr. Evans made a motion to accept the 2018 Annual Report as edited.

Mr. Nicholson seconded the motion. Motion passes.

INVOICES

1. Caputo & Wick - \$3917.44 – ANRAD review Off Reynolds Ave.

Mr. Evans made a motion to pay the above-named invoice.

Mr. Nicholson seconded the motion. Motion passes.

GENERAL BUSINESS

1. Close Escrow Account – Closed ANRAD Reviews

- 117 County Street - \$523.75
- Barney Ave - \$210.06
- 151 Plain St. - \$195.00
- Eastwood Estates II - \$213.39

Mr. Evans made a motion to close the above-named escrow accounts.

Mr. Nicholson seconded the motion. Motion passes.

2. By-Law Workshop – Finalize Date & Time

The commission agreed to hold a by-law workshop on February 12, 2019 at 7:00pm, at the Town Offices.

3. Clear Cutting – Subdivisions

Mr. Materne stated that he had spoken to Mr. Christopher Cooper, Chairman of the Planning Board. The Planning Board has the same concern of clear cutting in sub-divisions as the commission. This has become practice in town and there needs to be something in place that keeps applicants from clear cutting trees in new sub-divisions.

Mr. Materne requested the commission to put their ideas in writing so that the commission can sit down with the Planning Board and have a discussion on how to fix this issue.

4. Retention Ponds – Concern

Mr. Materne spoke in regards to the conditions of the retention ponds in the town. They are in need of maintenance. Some of them have trees growing in them. He asked the commission how to get them maintained.

Mr. Habershaw stated that it is not difficult to maintain them, if they are mowed once a year, they will not get over grown with trees.

Mr. Choquette brought up having the applicant of a sub-division provide money in an escrow account so if they are not maintained the town will have the money to maintain them.

ADJOURNMENT

Mr. Evans made a motion to adjourn the meeting.

Mr. Nicholson seconded the motion. Motion passes.

Meeting adjourned at 8:27 pm.

For the Conservation Commission

A handwritten signature in dark ink, appearing to read 'Rt p nt', written over a horizontal line.

Robert Materne, Chairman

David Evans, Vice-Chairman