

**CONSERVATION
COMMISSION**

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Robert Materne, Chairman
David Evans, Vice Chair
Thomas Nicholson
Krisna Prachanronarong
Stephen Choquette
Matthew Habershaw
Matt Kershaw
Matthew L. Habershaw,
Assoc. Mbr
Daniel Roach, Agent

REHOBOTH CONSERVATION COMMISSION
Meeting Minutes – September 12, 2023

Present: Robert Materne, Chairman, Dave Evans, Krisna Prachanronarong, Matt Habershaw, Stephen Choquette, Associate Member Matthew L. Habershaw Daniel Roach Conservation Agent, Stacy Vilao, Office Administrator.

Absent: Thomas Nicholson, 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. Gagne, Jr. – 172 Summer Street – ANRAD – SE60-1319
2. Gagne, Jr. – 172 Summer Street – NOI – SE60-1320

The above-named public hearings were continued from a previous public hearing.

Ms. Rachel Smith from the Board of Health was present.

Ms. Smith and the commission discussed having a joint meeting between the Board of Health and the Conservation Commission to discuss the above project.

3. Frida, LLC – off Hornbine Rd. – ANRAD – SE60-XXXX

The above-named public hearing was continued from a previous public hearing.

4. Rousseau – 185 Moulton St. - RDA

Ms. Rachel Smith of Oakhill Engineering was present.

Ms. Smith presented plans.

Mr. Materne stated that the wetland line is accurate.

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

Mr. Habershaw seconded the motion. Motion passes.

The commission discussed that the grass and wood slash need to be removed.

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

Mr. Habershaw seconded the motion. Motion passes.

5. Cleopatra, LLC – 561 Tremont Street – RDA

Ms. Rachel Smith of Oakhill Engineering was present.

Ms. Smith presented plans.

Mr. Materne stated that the wetland line is accurate.

Mr. Habershaw made a motion to issue a Positive 2A Determination.

Mr. Prachanronarong seconded the motion. Motion passes.

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

Mr. Choquette seconded the motion. Motion passes.

6. O'Donnell – 107 Ash Street - RDA

Mr. Peter Lavoie of Landmark Site Design was present.

Mr. Lavoie presented plans.

The commission discussed that the wetland line was inaccurate, should be adjacent to the toe of the slope. Asked how the machines would access the site with the erosion controls in place?

Mr. Lavoie explained that there would be an opening at the driveway.

Erosion controls were discussed. The commission requested the line to be reflagged and to submit revised plans.

Mr. Evans made a motion to issue a Positive 2A Determination with the changing of the flags as discussed.

Mr. Choquette seconded the motion. Motion passes.

Mr. Evans made a motion to issue a Negative 3 Determination with the plan being changed as discussed.

Mr. Habershaw seconded the motion. Motion passes.

General Business

1. Lambe – 63 Homestead Ave. – SE60-1198 – Request for COC

Mr. Roach explained the property.

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

Mr. Habershaw seconded the motion. Motion passes.

2. 44 Wheaton Ave. – Accept Donated Parcel – Discussion/Vote

Mr. Materne explained that Mr. Lenny Mills donated land to the Conservation Commission.

Mr. Evans made a motion that the Board of Selectmen accept the donation by Viall Farm, LLC to the Conservation Commission, pursuant to MGL Chapter 40, Sec. 8C, of the property and buildings thereon known as 44 Wheaton Ave., Rehoboth, MA to be held under the care, custody, and control of the Conservation Commission. The land is shown as “Parcel A” on a plan entitled “Definitive Subdivision of Viall Farm in Rehoboth Massachusetts”, dated January 30, 2004 and prepared by E. Otis Dyer, R.P.L., 368 Fairview Avenue Rehoboth, MA 02769 which plan is recorded at the Bristol North County Registry of Deeds in Plan Book 435, Page 9.

Mr. Habershaw seconded the motion. Motion passes.

3. Proposed Wetland Bylaw - Discussion

The commission discussed how the commission could split up in groups to move forward with the proposed bylaw. The public is welcome to give any suggestions they have.

4. Proposed bylaw – Appointment of Associate Member

An amendment to the General Zoning Bylaws had been written by Town Counsel to allow the Conservation Commission to vote and appoint two associate members to the Conservation Commission. This will be placed as a warrant article for special town meeting.

Mr. Evans made a motion to place the article on the warrant for Special Town Meeting.

Mr. Prachanronarong seconded the motion. Motion passes.

5. Conservation Commissioner Updates

The following items were discussed.

- Having bylaw that directs the Board of Selectmen that the boards and commission's have the right of first refusal of any properties that the town wants to sell.
- Brian Bastarache from Bristol Aggie will be coming to our next meeting to discuss the Walter Munroe Conservation area.
- The commission is going to subscribe to Mass Wild Life to apply for grants.
- The Town of Seekonk is hosting a meeting with DEP to discuss the new wetland regulations.

6. Agent Updates

There were no updates

Concerns & Complaints

1. 229 Brook Street – Concern

Mr. Materne stated that this item was all set and should be removed from the concerns & complaints list.

Mr. Evans made a motion to remove the above-named item from concerns & complaints.

Mr. Habershaw seconded the motion. Motion passes

Violations

1. Rego – 23 Winthrop St – Enforcement Order

There were no updates.

2. Alves – 29 County St – Enforcement Order

Mr. Materne explained the situation with the property.

The commission discussed what needs be done.

If the things the commission is stating needs to be done are not done fines will be issued.

3. Morrissey – 72 Martin St. – Enforcement Order

There were no updates.

4. 172 Summer Street – Violation

There were no updates.

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

Mr. Materne explained the situation at the property.

Mr. Choquette said to have the owner seed with a wetland mix.

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

Mr. Habershaw seconded the motion. Motion passes

6. 12 Katie Dr. – Enforcement Order

There were no updates.

7. 370 Winthrop St – Enforcement Order

The commission is waiting to hear back from Town Counsel.

8. 203 Moulton St. – Enforcement Order

Dr. Roach stated that the certified mail is coming back to the office unsigned for.

The commission discussed issuing more fines.

ADJOURNMENT

Mr. Evans made a motion to adjourn.

Mr. Habershaw seconded the motion. Motion passes.

Meeting adjourned at 7:37 pm.

For the Conservation Commission


Robert Materne, Chairman

David Evans, Vice-Chairman