

REHOBOTH CONSERVATION COMMISSION
Meeting Minutes – September 7, 2010

Present: Chairman Scott Pennoyer, Vice Chairman Wendy Skinner, Robert Materne, Alan Gosselin, Krishna Prachanronarong, Dave Perry and; Conservation Agent Leeann Bradley.

Absent: Thomas Nicholson, James Payon, and Associate Member: Karl Drown.

CALL TO ORDER

Ch. Pennoyer called the meeting to order at 7:02 PM

CONCERNS & COMPLAINTS

1. Locust Avenue – Tree Cutting, Shed, Dock on Palmer River
Ms. Bradley stated that everything was all set with the property.

2. Foley Sons – Follow up to Lifted EO Request/Site Visit

Mr. Perry stated that someone would need to drive by. There is concrete in the back, it has to be cleaned up.

Ms. Skinner stated that there needs to be haybales around the pile.

Mr. Pennoyer stated that a letter had been sent.

Ms. Bradley stated that she had not heard back from the property owner.

GENERAL BUSINESS

1. Winthrop Street Realty – 55 Winthrop Street – Request for COC – SE60-549

Ms. Bradley stated that the property was all set. Recommended to issue a COC.

Ms. Skinner made a motion to issue a COC.

Mr. Materne seconded the motion. Motion passes.

2. National Grid – T7 Transmission Line – Request for COC – SE60-878

Ms. Bradley stated that the property was all set, recommended to issue a COC.

Mr. Materne made a motion to issue a COC.

Ms. Skinner seconded the motion. Motion passes.

3. Hass – Broad Street – Stream DOA – Request for Extension

Mr. Materne made a motion to issue a 3-year extension.

Mr. Prachanronarong seconded the motion. Motion passes.

MINUTES

Minutes were tables until a future meeting.

NEW BUSINESS

1. Letter from City of Taunton

Mr. Pennoyer stated that the City of Taunton Conservation Commission had sent a letter. They invited our commission to their meeting regarding Glebe Street. Gave history of the project.

2. Cape Cod Cranberry Growers

Mr. Pennoyer stated that the commission had received an invite to a seminar on October 11, 2010. The commission discussed cranberry bog in town.

*****RECESS UNTIL 7:30 PM *****

PUBLIC HEARINGS & MEETINGS

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

Mr. Otis Dyer, Jr. was present.

Mr. Dyer presented plans.

Mr. Pennoyer asked the commission and audience if there were any questions, there were none.

Ms. Skinner made a motion to close the public hearing.

Mr. Materne seconded the motion. Motion passes.

Ms. Skinner made a motion to issue Order of Conditions.

Mr. Materne seconded the motion. Motion passes.

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

Mr. Otis Dyer requested a continuance until September 21, 2010.

Mr. Pennoyer asked the audience if there were any questions, there were none.

Mr. Materne made a motion to grant a continuance until September 21, 2010.

Ms. Skinner seconded the motion. Motion passes.

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

Mr. Nyles Nager of Outback Engineering was present.

Mr. Nager presented plans.

Mr. Pennoyer asked if the haybales line was the limit of work?

Mr. Nager stated correct.

Mr. Pennoyer stated that it needs to be marked on the plans that way. Asked if the septic system was the only change?

Mr. Nager stated yes.

Mr. Pennoyer asked the commission and audience if there were any questions, there were none.

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

Ms. Skinner seconded the motion. Motion passes.

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

Ms. Skinner seconded the motion. Motion passes.

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

Mr. Prachanronarong recused himself.

Mr. Prachanronarong presented an email from his lawyer, stating that there should be an extension on the previously expired Order of Conditions.

The Commission discussed the email and the law that require an extension.

Mr. Pennoyer stated that the ANRAD had expired. There was a legal extension given.

Mr. Pennoyer stated that the new extension would be May 16, 2011 on the original OOC.

Ms. Bradley stated that the OOC was for the driveway only.

Mr. Prachanronarong stated that the septic system was done under an RDA which has expired.

Mr. Pennoyer stated that the RDA is only a determination. You will have to refile.

Mr. Prachanronarong stated that is included under the new law.

Mr. Prachanronarong asked to withdraw his application for SE60-915.

Ms. Skinner made a motion to issue a letter that under the new law that posted on August 4, 2010 for the permit extension act. The New expiration date will be May 16, 2011.

Mr. Materne seconded the motion. Motion passes.

5. Mass. Highway – Rts. 6 & 44 & I-195 - RDA

Mr. Pennoyer opened the public meeting.

Mr. Mike Climonts from Mass. DOT & Mr. Tom Dwyer of Mass. DOT were present.

Mr. Climonts presented plans.

Mr. Pennoyer asked if there would be any stumping?

Mr. Climont stated no, flush cutting only.

Mr. Perry asked if the chipping would be in a truck?

Mr. Climont stated yes.

Mr. Pennoyer asked the commission and the audience if there were any questions, there were none.

Mr. Materne made a motion to issue a Negative 2 – for the wetlands, a Negative 3 – for the buffer zones, and a Negative 5 – for the Riverfront.

Ms. Skinner seconded the motion. Motion passes.

6. Pina – 164 Homestead Ave. – RDA

Mr. Pennoyer opened the public meeting.

Ms. Palmira Pina of 23 Tori Leigh Lane was present.

Mr. Perry explained the property.

Ms. Bradley stated that haybales need to be installed at the limit of work and the slurry from the well needs to be pumped upgradient.

Mr. Pennoyer asked the commission and audience if there were any questions, there were none.

Mr. Materne made a motion to issue a Negative 3 Determination, the wetland line is not approved.

Ms. Skinner seconded the motion. Motion passes.

7. Pine – 168 Homestead Ave. – RDA

Mr. Pennoyer opened the public meeting.

Ms. Palmira Pina of 23 Tori Leigh Lane was present.

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

Mr. Materne seconded the motion. Motion passes.

8. Berube – 10 Short Street – RDA

Mr. Pennoyer opened the public meeting.

Mr. John Risser of Risser Engineering was present.

Mr. Risser presented plans.

Mr. Pennoyer asked the commission and the audience if there were any questions, there were none.

Mr. Materne made a motion to issue a Negative 3 Determination, the wetland line is not approved.

Ms. Skinner seconded the motion. Motion passes.

9. Kane – 165 Fairview Ave. – ANRAD – SE60-918

Mr. Pennoyer opened the public hearing.

Mr. Otis Dyer Jr, was present.

Mr. Dyer presented plans.

Mr. Perry stated that the line is accurate.

Mr. Pennoyer asked the commission and the audience if there were any questions, there were none.

Ms. Skinner made a motion to close the public hearing.

Mr. Materne seconded the motion. Motion passes.

Ms. Skinner made a motion to issue the Order of Resource Area Delineation as accurate.

Mr. Materne seconded the motion.

10. Kane – 165 Fairview Ave. – NOI – SE60-917

Mr. Pennoyer opened the public hearing.

Mr. Otis Dyer Jr. was present.

Mr. Dyer presented plans.

Mr. Pennoyer asked on the BVW A series flags 9-11, why are there no haybales?

Mr. Dyer replied that it's a gravel path, there would be minimal disturbance.

Mr. Materne asked how wide the path was/

Mr. Dyer stated 5 feet.

Mr. Materne stated that if haybales are put down there will be no room for the trench to be put in.
Mr. Dyer stated that it is a very shallow trench and would be covered back up within hours.
Mr. Pennoyer asked the commission and the audience if there were any questions, there were none.
Mr. Dyer stated that the owner would like to move the building about 5 feet.
Mr. Pennoyer stated that it would be picked up on the COC.
Mr. Pennoyer asked the commission and the audience if there were any questions, there were none.
Ms. Skinner made a motion to close the public hearing.
Mr. Materne seconded the motion. Motion passes.
Mr. Materne made a motion to issue Order of Conditions.
Ms. Skinner seconded the motion. Motion passes.

11. Lambe – 230 Perryville Road – ANRAD – SE60-919

Mr. Pennoyer opened the public meeting.
Mr. Otis Dyer Jr. was present.
Mr. Dyer presented plans.
Mr. Perry stated that the line was accurate.
Mr. Pennoyer asked the commission and the audience if there were any questions, there were none.
Ms. Skinner made a motion to close the public hearing.
Mr. Materne seconded the motion. Motion passes.
Ms. Skinner made a motion to issue an Order of Resource Area Delineation as accurate.
Mr. Materne seconded the motion. Motion passes.

12. Lambe – 230 Perryville Road – NOI – SE60-920

Mr. Pennoyer opened the public hearing.
Mr. Otis Dyer Jr. was present.
Mr. Dyer presented plans.
Mr. Pennoyer stated that his concerns were the invert, box culvert, and the elevation. Is it at the exact same location as what is there now?
Mr. Dyer stated yes. Then asked if he should remove the gravel.
Mr. Pennoyer stated yes. Everything disturbed will be allowed to revegetate?
Mr. Dyer stated yes.
Mr. Perry stated that when this is installed Ms. Bradley should be called.
Mr. Dyer stated that he could have the contractor know.
Mr. Perry suggested an on-site preconstruction meeting.
Mr. Pennoyer stated with a 48 hours' notice to the office.
Mr. Materne asked what was being done under the culvert?
Mr. Dyer stated gravel would be there.
Mr. Perry asked what was being used as a bypass?
Mr. Dyer stated if there is flow, they will have to pump it out.
Mr. Dyer requested a continuance until September 21, 2010.
Ms. Skinner made a motion to grant a continuance until September 21, 2010.
Mr. Materne seconded the motion. Motion passes.
Mr. Pennoyer asked the audience if there were any questions, there were none.

13. DeRosa – 246 Winthrop Street – NOI – SE60-921

Mr. Pennoyer opened the public hearing.
Mr. Peter Lavoie of Landmark Site Designs was present.
Mr. Lavoie presented plans.
Mr. Pennoyer stated that the septic system is at 40'. Until we have an approval from Board of Health, I can't close the hearing.
Mr. Lavoie stated that he requested a waiver from the BOH.

Ms. Bradley stated that it is not on the plan.
Mr. Materne asked how are you going to work with silt fence on a retaining wall?
Mr. Lavoie replied they are going to install the silt fence then install the wall.
Mr. Pennoyer stated that we are going to need a cross section on the plan. We may need an alternatives analysis.
Ms. Bradley stated that most septic system repairs are exempt.
Mr. Materne states that there isn't much we can do with the BOH sign off.
Mr. Pennoyer asked the commission and the audience if there were any questions. There were none.
Mr. Lavoie requested a continuance until September 21, 2010.
Ms. Skinner made a motion to grant a continuance until September 21, 2010.
Mr. Materne seconded the motion. Motion passes.

14. Meridian – 4 Duval Street – NOI – SE60-922

Mr. Pennoyer opened the public hearing.
Mr. Nyles Nager of Outback Engineering was present.
Mr. Nager presented plans.
Mr. Pennoyer stated that his concern was the haybale line. Is it being proposed as the limit of work?
Mr. Materne asked if the ORAD has an extension?
Mr. Perry stated that the wetland line is good where work is being done. The reserve is at 50'.
Mr. Nager stated he will have revised plans with that fixed. We have reconfigured the reserve area.
The commission discussed the wetland line and if they could approve it.
Mr. Perry stated that this is a previously altered lot. All work is proposed in the altered area.
Mr. Materne stated that the line would be good for 3 years.
Ms. Bradley stated that the wetland line is valid until March 11, 2011.
Mr. Materne made a motion to close the public hearing.
Ms. Skinner seconded the motion. Motion passes.
Ms. Skinner made a motion to issue Order of Conditions as approved.
Mr. Materne seconded the motion. Motion passes.

Adjournment

Upon a motion made by Ms. Skinner and seconded by Mr. Gosselin the commission votes unanimously to adjourn at 9:10PM.

For the Conservation Commission,

Robert Materne – Chairman



David Evans – Vice Chairman