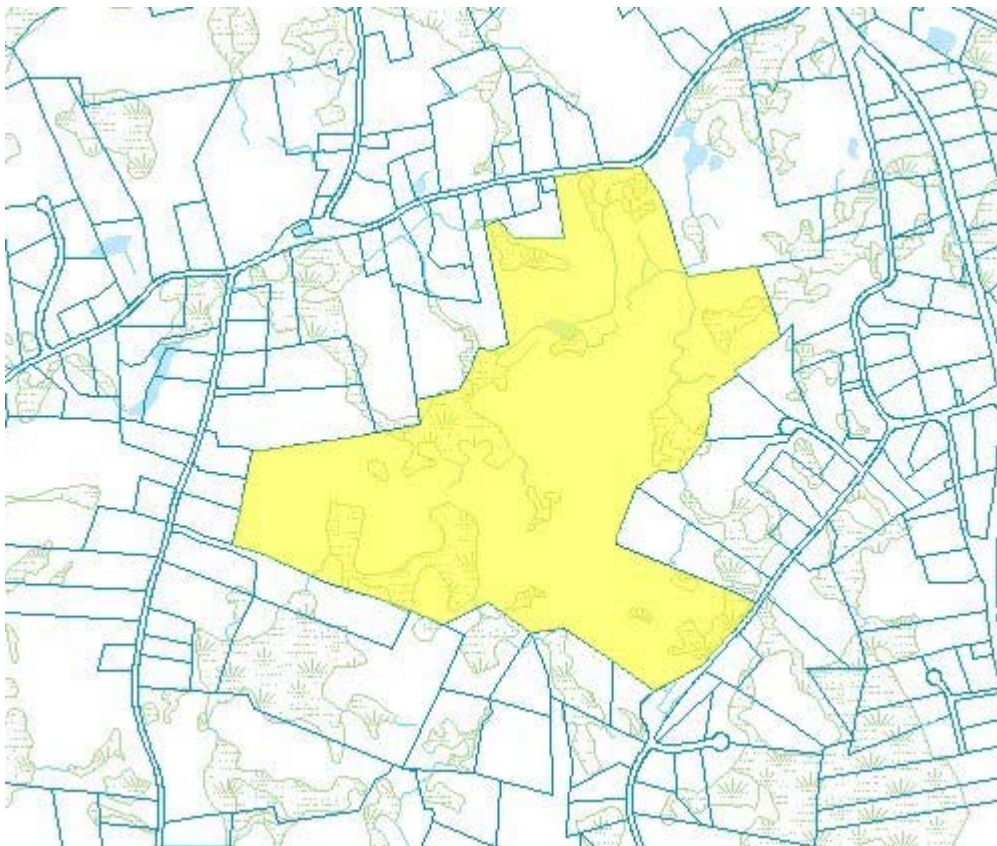


Summary of Potential Wetlands, Zoning, and Waste Violations in Rehoboth, MA

1) Summer Street: On or about March 15, 2005, the Rehoboth Conservation Commission issued a Cease and Desist Order to Christopher Morra, ordering him to immediately cease and desist any activities resulting in siltation affecting wetlands, their buffer zones or other jurisdictional areas on his property. On May 13, 2005, Mr. Morra sued the individual Conservation Commission members.

Kenneth Foley, a then-Conservation Commission member appointed by Mr. Morra, moved to lift the Cease and Desist Order against Mr. Morra in exchange for withdrawing the lawsuit against the Conservation Commission members. The Order was lifted. However, a DEP site walk in May of 2006 verified that approximately 500' of a perennial stream had been piped and buried on the parcel.

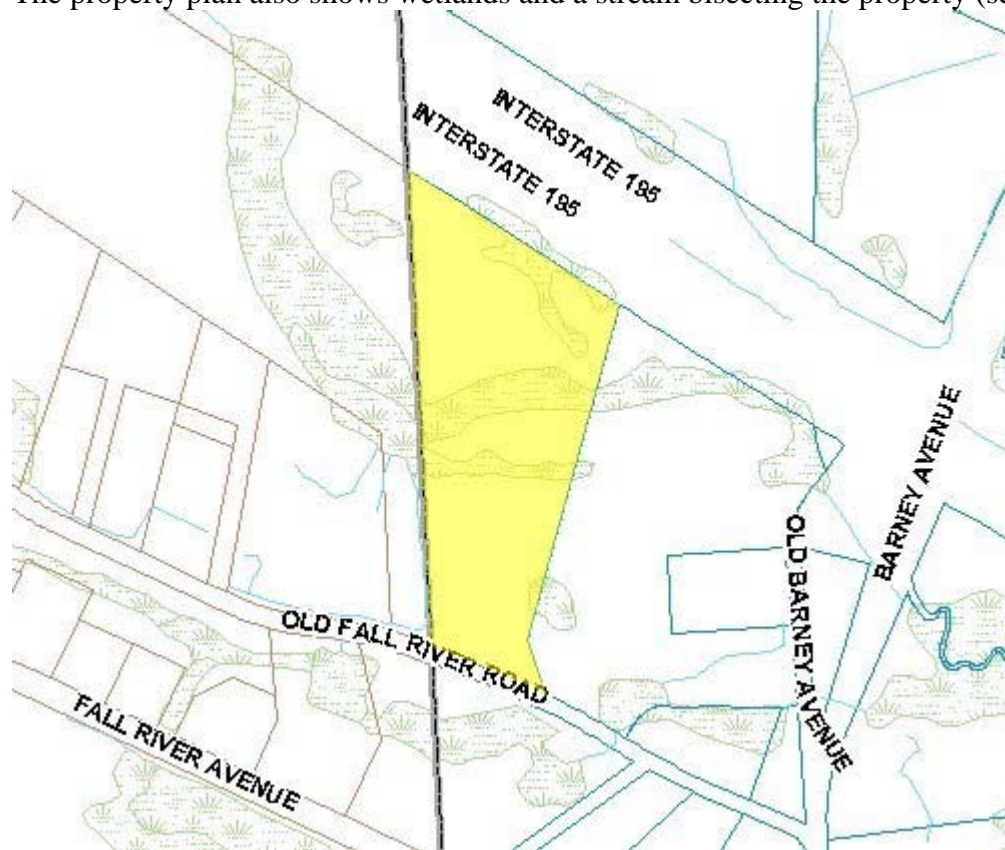
Property map of the site shows numerous wetlands, streams, and a pond on the site.



2) Old Fall River Road: Kenneth Foley purchased approximately 10.4 acres of land on Old Fall River Road in 1995. In 2001, Mr. Foley sold the land to his son(s). Kenneth Foley II currently owns this property on Old Fall River Road in Rehoboth. Aerial photographs show that the site is covered with piles of debris, sand, tires, and other materials, despite the fact that the parcel is zoned Residential/Agricultural (see photograph, below). The aerial photographs show disturbance very close to the streams and wetlands, possibly in violation of the Wetlands Protection Act. Specifically, Mr. Foley did not file for a permit with the local Conservation Commission, and did not have any siltation controls. This photograph showing these potential violations was taken while Mr. Foley was Vice Chairman of the Conservation Commission.

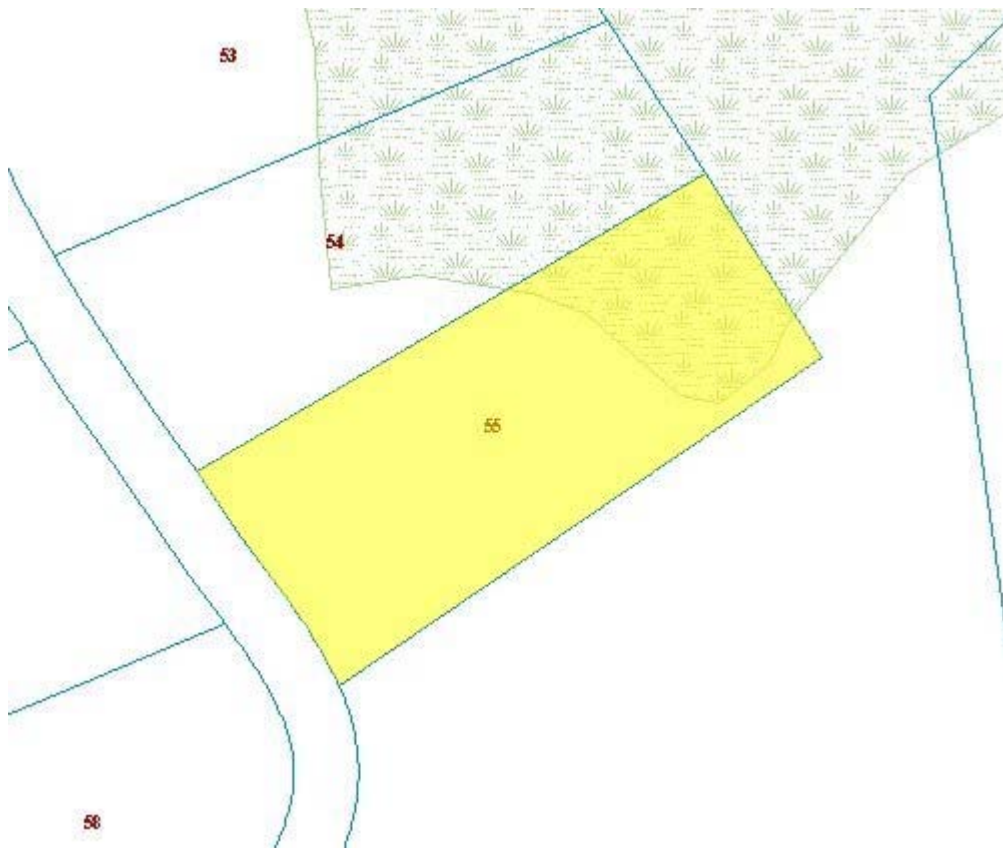
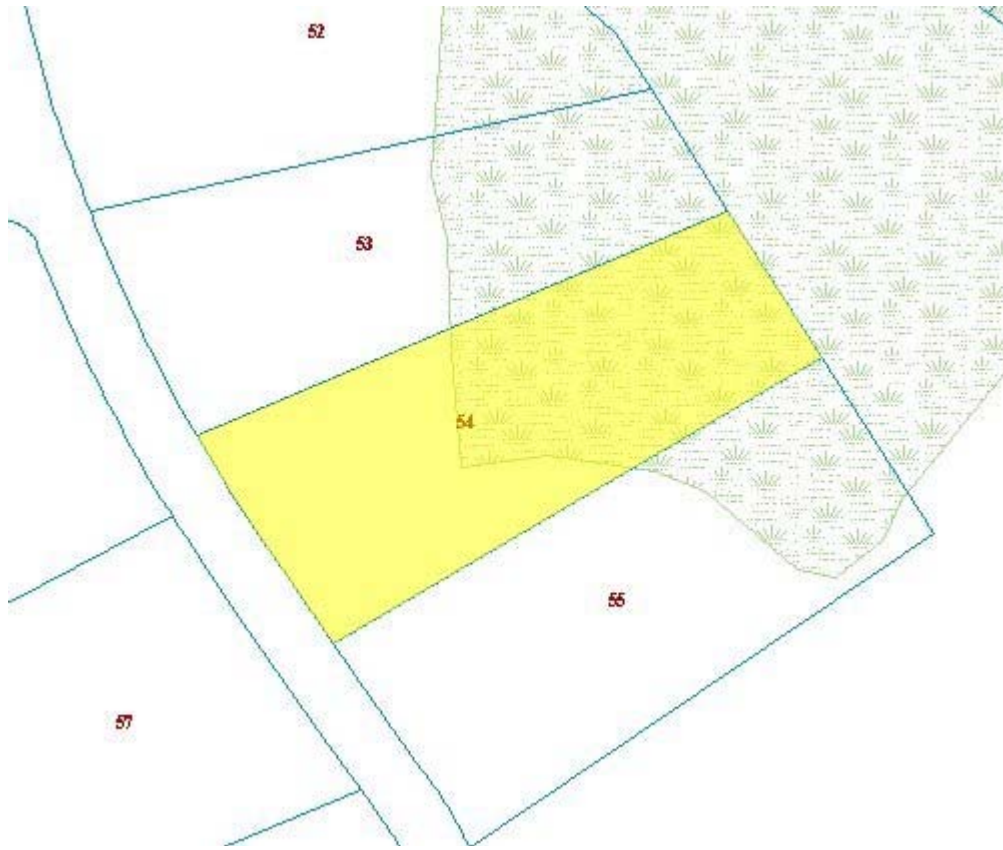


The property plan also shows wetlands and a stream bisecting the property (see map, below).



3) Francis Farm Road. Foley Realty LLC owns two parcels of land on Francis Farm Road in Rehboth. Property maps show wetlands on both parcels (see lots 54 and 55, below). Aerial photographs taken in the spring of 2008 show blue barrels, dumpsters, and other debris on site. It is not clear what type of debris is on site, or what is in the barrels, or how close this material is to wetlands on site, but DEP should investigate to determine whether the storage of this material is in compliance with all pertinent laws.





Given the allegations in the recently filed lawsuit against Mr. Morra and Mr. Foley, PEER believes that the Massachusetts Department of Environmental Protection (DEP) must look into these potential violations. If the Rehoboth Conservation Commission is - as alleged in the complaint - being directed to take certain actions by Mr. Morra, it appears as though these potential violations will never be investigated. Specifically, Mr. Morra and Mr. Foley would not want their own potential wetlands violations exposed. Therefore, the Commonwealth of Massachusetts must enforce the laws themselves.