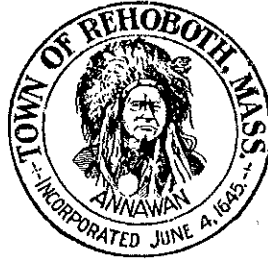


PLANNING BOARD
148 Peck Street
Rehoboth, MA 02769
(508) 252-6891 Telephone
(508) 252-5342 Facsimile



James Muri, Chairman
Edward Bertozzi, Vice Chair
Robert Moitozo
Tomas Ennis
Christopher Cooper
Stephen Brooks, Jr.
John Scanlon, Assoc. Member

**Meeting Minutes
January 6, 2016
Town Offices
148 Peck Street
Rehoboth, MA 02769
7:00 PM**

RECEIVED
17 FEB - 2 AM 8:12
OFFICE OF THE TOWN CLERK
REHOBOTH, MA

Present: James Muri, Robert Moitozo, Stephen Brooks, Jr., Tomas Ennis, Christopher Cooper, John Scanlon, Associate Member

Town Planner – Leeann Bradley

Absent: Edward Bertozzi

Pledge at 7:03p.m.

*Chairman Jim Muri was not present at the start of the meeting. Vice-Chairman Robert Moitozo began the meeting. Mr. Muri arrived at approximately 7:15.

Form A

1. Heritage Realty Enterprises LLC – 209 Anawan St. – 1528A – Mr. Rob Davis from Insite Engineering was present on behalf of the applicant. He is proposing dividing an existing parcel into 5 buildable lots and one unbuildable lot in the back. Two parcels will be retreat lots. There is an existing house and some outbuildings shown on the plan.

Mr. Cooper motioned to endorse the Form A.

Mr. Brooks seconded the motion. Motion passed.

2. John DuVally (Tripp Property) – 56 County St. – 15-26A – Resubmittal - Mr. Rob Davis from Insite Engineering was present on behalf of the applicant. He began by stating this was a resubmittal of a Form A that was presented late in 2015. He made a few modifications to the plans. The frontage was corrected on lot #5. There are 4 buildable lots, a retreat lot and 52 acres of remaining land.

Mr. Cooper motioned to endorse the Form A.

Mr. Scanlon seconded the motion. Motion passed.

3. Kellum – 87 Agricultural Avenue – 15-30A – Mr. Rob Davis from Insite Engineering was present on behalf of the applicant. He began by stating the applicant has made an agreement with Barbara Vadnais to sell off a non-buildable triangle to Mr. Kellum. No new building lots are being created. The parcel is being deeded to Mr. Kellum to correct encroachment.

Mr. Cooper motioned to endorse the Form A.

Mr. Brooks seconded the motion. Motion passed.

4. Frank Valvano Jr. & Muriel Valvano – 182 Moulton St. – 15-29A - Mr. Otis Dyer was present on behalf of the applicant. Mr. Dyer began by stating the property is a 16 acre parcel of land. Brian and Audrey Ramos own a lot on Linden Lane. No house has been built yet. The object of the plan is to convey the Lot A to create cleaner lot lines. He wants to release parcel A from 61B so Mr. & Mrs. Ramos can purchase the land. Mr. Ramos is asking the board for a reduction of fees. He paid \$1,800.00 for the application fee and the land is worth \$1,800.00 and is only 13,000.00s.f. of land. Mr. Ennis found it reasonable to ask for a reduction of the fees. Ms. Bradley stated just the application fee alone is \$1,000.00. Mr. Dyer suggested to the board that it would be great to revise the language stating if the applicant is not creating buildable lots they should only have to pay the application fee. He noted most towns do that now. Mr. Muri arrived at the meeting. Mr. Moitozo then summarized the board's current discussion with Mr. Muri.

Mr. Ennis motioned to waive the lot fee and maintain the application fee for the Form A.

Mr. Scanlon seconded the motion. Motion passed.

Mr. Ennis motioned to endorse the Form A.

Mr. Scanlon seconded the motion. Motion passed.

Public Hearings

New Business

1. 182 Moulton St. – Request to release property from Chapter 61 – Valvano –

Mr. Cooper motioned to make a recommendation to the Selectmen that they waive their right of first refusal for 182 Moulton Street.

Mr. Brooks seconded the motion. Motion passed.

2. Goff Hall Addition – Discussion – The Goff Hall is privately owned by the Rehoboth Antiquarian Society. Mr. Muri advised the applicant they would need to file an application for Site Plan Approval, but noted the fee is discretionary with the board. Given that the Goff Hall is a community resource he feels they may be able to reduce or waive the fees. Mr. Tom Charnecki was present and noted the town has indirect ownership. There is a Historic Preservation Restriction associated with the building. The proposed addition will add 1,130s.f. The area of the existing building is 6,888s.f. There will be handicap access to restrooms and basement added. The proposed addition is less than 25% of the existing floor space. It is actually only a 15% increase. There will be no new signage or lighting and no new impervious areas. They are ready to begin building and have raised the funds necessary for the project. The plans have been approved by the Massachusetts Historical Committee. Mr. Muri asked Mr. Charnecki to draft a very short letter from the Antiquarian Society asking the Planning Board to waive the fees for the Site Plan Approval and Ground Water Special Permit process since it is essentially foundation work that is being done. He also asked that the letter state that the Goff Hall is a building that benefits the town and is a charitable venture and should therefore be exempt.

Mr. Cooper motioned to waive the requirements for Site Plan Approval and the Ground Water Special Permit application and fees contingent upon receiving the letter requested above from the Antiquarian Society.

Mr. Scanlon seconded the motion. Mr. Ennis abstained. Motion passed.

Old Business

1. BlueWave – Landfill Solar – Site Plan Approval – Discussion - Mr. Aiden Foley from BlueWave Capital was present. Mr. Foley began by summarizing the status of the project at the landfill on Martin Street. He distributed photographs and documentation regarding the project. The project began generating electricity on December 23, 2015. It is currently going through a testing period and he is not sure if it is complete. He anticipates landscaping improvements will not be completed until the next planting season in May or June of 2016. The abutter Mr. Niles was very agreeable to installing screening on his property.

Mr. Foley went on to briefly discuss the 2nd solar project in Rehoboth on Barney Avenue. He stated it is customary for a local developer such as BlueWave to initiate new projects, generate much of the project development assets such as permits and contracts as well as energy contracts and then bring in a large investor to capitalize the project. Mr. Foley stated BlueWave finds projects, gets them construction ready and then finds the investors to back the project. This is customary in the industry. BlueWave has chosen to work with NRG Renew. They are one of the largest energy companies in the United States. They invest in wind/solar projects around the U.S. and they are the largest investor of such projects. They are acting as the development provider during the development process and will be the long term owner of the project at Martin Street. The General Contractor is the Conti Group which is a very substantial and qualified company. They do a lot of landfill work including solar improvements at landfills. Mr. Foley stated that overall the project is complete from a physical standpoint. It has been a very smooth and one of the most successful projects BlueWave has been involved with. The project is now paying lease and property taxes to the town. The energy being generated is being sold to the Swansea Water District and Swansea School Department. Mr. Muri had a concern regarding the bond being transferred appropriately with no legal issues. Ms. Bradley stated they did have a Decommissioning Agreement. She will check the language regarding transferring ownership to NRG and will advise Mr. Muri. Mr. Foley stated BWC/Swan Pond River is the tenant NRG owns and has posted the bond, which protects the community. Mr. Muri would like to verify with Town Counsel that the bond is transferring to a party that is not the town since it doesn't make sense for the town to hold a bond on itself. It is going to an entity that still has a responsibility to the town in the event that this is being decommissioned. Mr. Foley stated he emailed a copy of the bond to Town Counsel a few days ago. Mr. Muri noted the O&M requirements should stay with the new owner/operator and not the town. Mr. Muri reminded Mr. Foley that the Zoning Bylaw states that if a solar project is sold, the purchasing entity has to file a permit. They need only to come before the Planning Board. He is confident the process will be streamlined and can be resolved in one evening to review what needs to be done. Mr. Ennis suggested that perhaps a modification to the permit would suffice since they are not really changing the previously approved permit. Mr. Muri suggested asking Town Counsel what needs to be done in this case with regard to a modification that is simply a change of ownership on an application that has already been approved. Mr. Moitozo also suggested asking Town Counsel to recommend a way to modify the By-law by creating a sign-off sheet so that in the event of a change of ownership the purchaser acknowledges that they are bound by the permit and are the new owners. Ms. Bradley noted that this could be added as a special condition to be kept in the file. Mr. Foley concluded by stating he feels they have a great relationship with Rehoboth and they will work with the town to get what they need. After the Planning Board speaks to Town Counsel they should let Mr. Foley know what they need and he will return.

Mr. Scanlon motioned to seek the advice of Town Counsel regarding the above issues.

Mr. Brooks seconded the motion. Motion passed.

A representative from NRG will be contacted to attend the next meeting for discussion.

Mr. Brooks asked Mr. Foley about the problem of unsightly utility poles for solar projects. He stated the bylaws state that medium voltage wires need to be on the ground as much as possible. He noted the delivery utility (National Grid) is responsible for running all the public wires to the point of interconnection. The number of poles and their position varies according to the project. Below grade utilities are considerably more expensive. Mr. Foley stated he could speak to National Grid regarding pole placement. Mr. Muri suggested the National Grid liaison come in for a discussion on this matter as well. Ms. Bradley will contact them.

2. Sun Edison – 280 Summer St. – Landscaping plan update – Ms. Bradley sent a letter and has not yet heard from them. She also emailed SunEdison and asked that they confirm that they received her letter. She still has not heard from them. She will send another letter certified mail. There has been no response back from Town Counsel on this matter but will contact them again as well.

Minutes

Mr. Muri had not had a chance to read the minutes. He asked that the minutes be tabled to the next meeting January 20, 2016.

Invoices

1. W.B. Mason – bond paper - \$19.95

Mr. Scanlon motioned to submit payment.

Mr. Ennis seconded the motion. Motion passed.

2. Fuss & O'Neill – The Preserve - \$25.75

Mr. Brooks motioned to submit payment.

Mr. Scanlon seconded the motion. Motion passed.

3. ARC – large copier reading - \$22.74

Mr. Ennis motioned to submit payment.

Mr. Scanlon seconded the motion. Motion passed.

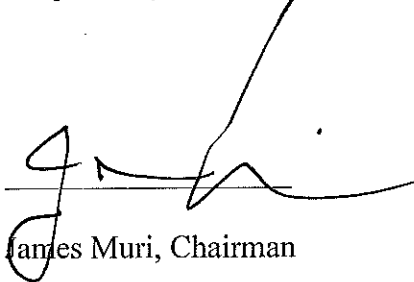
**Mr. Muri brought up Crossman Engineering for a large FedEx facility. It is not located in Rehoboth. Rehoboth was notified as an abutter. Mr. Muri suggested sending someone to the Seekonk Public Hearing on this project. Ms. Bradley will get more information on the project.

Adjournment

Mr. Scanlon motioned to adjourn at 8:43 p.m.

Mr. Moitozo seconded the motion. Motion passed.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'James Muri', written over a horizontal line. The signature is stylized with a large initial 'J' and a long, sweeping underline.

James Muri, Chairman