

PLANNING BOARD  
148 Peck Street  
Rehoboth, MA 02769  
(508) 252-6891 Telephone  
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James Muri, Chairman  
Edward Bertozzi, Vice Chair  
Robert Moitozo  
Tomas Ennis  
Christopher Cooper  
Stephen Brooks, Jr.  
William Costa

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

RECEIVED  
17 MAR - 2 AM 9:51  
OFFICE OF THE TOWN CLERK  
REHOBOTH, MA

Present: James Muri, Robert Moitozo, Edward Bertozzi, Christopher Cooper, Tomas Ennis, William Costa

Town Planner – Leeann Bradley

Absent: Stephen Brooks, Jr., John Scanlon

Pledge at 7:07p.m.

Mr. Muri began the meeting by welcoming the newest member of the Planning Board, Mr. William Costa.

Reorganization of the Planning Board

Mr. Muri began the reorganization of the Planning Board.

Mr. Moitozo motioned to nominate Mr. Jim Muri as Chairman of the Planning Board.  
Mr. Ennis seconded the motion. Motion passed.

Mr. Bertozzi motioned to nominate Mr. Robert Moitozo as Vice-Chairman of the Planning Board.  
Mr. Cooper seconded the motion. Motion passed.

Mr. Moitozo motioned to nominate Mr. Christopher Cooper as Clerk of the Planning Board.  
Mr. Bertozzi seconded the motion. Motion passed.

Mr. Cooper motioned to nominate Mr. Tomas Ennis as Gravel Committee Liaison.  
Mr. Bertozzi seconded the motion. Motion passed.

Mr. Ennis motioned to nominate Mr. Stephen Brooks Jr., as the SRPEDD Representative.  
Mr. Bertozzi seconded the motion. Motion passed.

Mr. Ennis motioned to nominate Mr. Stephen Brooks Jr., as the representative of the Economic Development Committee.

Mr. Bertozzi seconded the motion. Motion passed.

Mr. Moitozo motioned to nominate Mr. Tomas Ennis to the Storm water Committee.

Mr. Cooper seconded the motion

Mr. Muri motioned to nominate Mr. Edward Bertozzi as the Planning Board Representative to the Community Preservation Committee.

Mr. Cooper seconded the motion. Motion passed.

Mr. Moitozo motioned to nominate Mr. Christopher Cooper to the Agricultural and Natural Resources Committee.

Mr. Ennis seconded the motion. Motion passed.

Form A

#### Public Hearing

1. SunConnect – 297 Winthrop St. – 15-02Solar, 15-05SPA, 15-04GWSP – Mr. Frank Bicchieri from Bertin Engineering was present on behalf of the applicant. He began by stating he has provided a letter to the board addressing the items of concern from the last meeting. The revised plans provide more landscaping and buffering per the requirements of the town. He gave a quick overview of the revisions which included detail of an entrance gate on detail sheet #2. A vinyl gate is proposed on the plan. It is 40' back from the roadway. The dedicated lease area is shown as a dash line area. It is 30' from the limit of clearing with additional plantings. They are proposing bayberry and white spruce. Mr. Muri stated that if there is a change to the landscaping plan he must come before the Planning Board for their permission. Mr. Bicchieri stated that lighting was also a concern and he has provided lighting detail that utilizes motion activated lighting. Mr. Muri does not want neighbors disturbed by lights at night. Mr. Bicchieri will make it a condition that the lighting will be adjustable. Mr. Bicchieri also noted the gravel driveway will now be 8" in depth instead of 6" which is a MassDOT standard. Mr. Muri asked if he has spoken to the Board of Selectmen regarding PILOT payments. Mr. Bicchieri stated he has not. Mr. Muri informed him he will need to do so before final approval is granted. Mr. Bicchieri added the O&M plan was sent with the original submittal. The MSDS sheet has been submitted for the transformer. Racking detail will be submitted. Ms. Bradley stated she will need the Decommissioning Agreement. Mr. Moitozo asked about the ground water elevation at the test pits. He could not find this information on the plans and added it looked like it was 2'-3' below grade and in the ground water. Mr. Bicchieri did not have that information at hand but would check and will revise the plan to raise the basin. He will still need a variance. The separation will be approximately 6" between the ground water table and the detention basin. He added the drainage structure is not designed as a leaching basin and should be exempt from the Ground Water Protection District. Mr. Bertozzi does not think the Planning Board has the power to grant a waiver for that. The Zoning Board of Appeals has the power to grant a variance. He suggested that Mr. Bicchieri draft a letter explaining why it is not a leaching structure with diagrams and tables to obtain a variance. Mr. Bicchieri found that agreeable. Mr. Muri suggested relocating the outlet and raising the berm by 6". The Planning Board will need the decommissioning amount and agreement as well. He also stated they will need a copy of the Fire Departments review. He noted the tree height is on the plan and a short term financial landscaping/gate surety will be needed. Mr. Bicchieri found all of this amenable.

Mr. Cooper motioned to grant a 30 day waiver of deadline to May 6, 2016.  
Bill Costa seconded the motion. Motion passed.

2. Zoning Map Amendment - Map 1, Lots 25, 26, 44, 25 and 46 rezoned from Residential/Agricultural to General Business – Continued from the public hearing meeting of April 5, 2016 -

Mr. Ennis motioned to open the Public Hearing.

Mr. Cooper seconded the motion. Motion passed.

Mr. Dan Noons was present, as well as Mr. Steve Noons. They gave a brief review of their desire to change the zoning map on several lots from Residential/Agricultural to Business. The property in question belongs to their mother. There is frontage on Route 6 as well as Mason St. There is a question regarding retreat lots changing from residential to business. Mr. Bertozzi explained that retreat lots would need a restriction with the registry of deeds stating the applicant could not subdivide the lots. It would be one large lot. Mr. Muri informed the attendees at the meeting that the Planning Board is remaining neutral regarding the zoning change. It is a matter that will be on the warrant and decided at Town Meeting. Mr. Don Parent, 178 Mason Street, who is an abutter, expressed concerns with changing the property next to his to business. He feels it will lower the value of his property and also create traffic and noise if a business goes in next to him. He would have no problem with the property with frontage on Route 6 to be zoned business but does not want the other lots zoned business. Abutter Ms. Theresa Silva, 185 Mason St. came before the board. She agreed with Mr. Parents concerns. Mr. Parent also expressed concerns with new businesses impacting his well water. Mr. Muri explained that Rehoboth does not have a public water system or a public sewer system. That is the reason there are very few restaurants, car washes etcetera, in town. Mr. Bertozzi added the zoning bylaw change will require a 2/3 vote at town meeting and bylaw changes are difficult to achieve. Abutter Mr. David Silva, 183 Mason St. came before the board. He feels the abutters are getting ahead of themselves since there are many checks and balances that must be met before a business can be built on the property, if the zoning is changed. He understands that property values may be lowered if a business goes in, but that may not happen for many years. Mr. Muri agreed. Mr. Silva understands the goal of the Noons family and their desire to combine the properties to make it more enticing to potential buyers. He added the gas line through the property actually works in the favor of the abutters because it will never be moved. He suggested making the two retreat lots one business lot and keeping the other house lots as is. Mr. Muri suggested that the Noons' speak to their neighbors again and try to come to an agreement before Town Meeting. There were no further questions or discussions.

Mr. Bertozzi motioned to continue the Public Hearing to the next meeting on April 20, 2016 for an update.

Mr. Ennis seconded the motion. Motion passed.

New Business

Old Business

Minutes

Invoices

1. ARC large copier - \$12.30

Mr. Moitozo motioned to submit payment in the amount of \$12.30 to ARC.

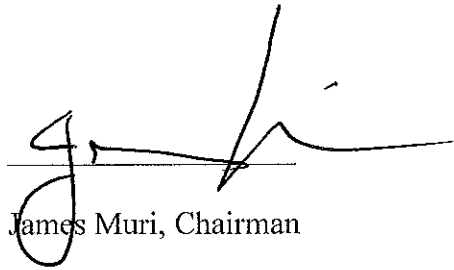
Mr. Ennis seconded the motion. Motion passed.

Adjournment

Mr. Cooper motioned to adjourn at 8:50 p.m. for the purpose of going into Executive Session.

Mr. Ennis seconded the motion. Motion passed.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'James Muri', written over a horizontal line.

James Muri, Chairman