

PLANNING BOARD
148 Peck Street
Rehoboth, MA 02769
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James Muri, Chairman
Edward Bertozzi, Vice Chair
Robert Moitozo
Tomas Ennis
Christopher Cooper
Stephen Brooks, Jr.
William Costa
Michael Costa, Assoc. Member

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

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OFFICE OF THE TOWN CLERK
REHOBOTH, MA

Present: Edward Bertozzi, Robert Moitozo, Christopher Cooper, Steven Brooks, Jr.
William Costa

Town Planner – Leeann Bradley

Absent: James Muri, Tomas Ennis, Michael Costa

Mr. Muri was not present. Mr. Moitozo began the meeting with the pledge at 7:02p.m.

Form A

1. Ana Pavao – 4 and 8 Brook Street – 16-18A – Ms. Emily Nigliachio was present on behalf of the applicant, Ms. Ana Pavao. She began by stating the applicant is seeking to extend the property lines for her property on Lot #36 into the commercial Lot #37. Both lots are owned by Ms. Pavao. The purpose of the redraw is to install a clean drinking water well on parcel A. There is currently no potable water on the residential Lot #36. In 2014 it was determined that the groundwater was contaminated which came from the commercial Lot #37 and contaminated the well on Lot #36. That well is no longer in service. The new well will be out of the extent of the contamination area. The frontage of both lots will not change due to the re-draw of the plan.

Mr. Cooper motioned to endorse the Form A.

Mr. William Costa seconded the motion. Motion passed.

Public Hearings

1. 477 Winthrop St. LLC – 16-01SPA, 16-01GWSP –

Mr. Bertozzi motioned to open the Public Hearing.

Mr. Cooper seconded the motion. Motion passed. Roll call vote. All aye.

Mr. Ken Anderson applicant/owner and Mr. Mike Russell from Site Design Engineering were both present. Mr. Russell is proposing site development within the groundwater protection district. The site is approximately 2 acres. The facility is a single building with previous building additions and the applicant is now proposing a 7,000 s.f. building addition to the rear of the existing building. There is no other site improvement being proposed. It meets the setback requirements of the Zoning District. The overall lot coverage exceeds 15%. Mr. Anderson has recently acquired 473

Winthrop St. which is also approximately 2 acres. His intent is to combine the two lots for tax purposes. That would negate the lot percentage. There would be no dimensional concerns. There is no expansion of access, parking or infrastructure. It is for storage of inventory only. No additional employees or office space or plumbing. The Health Agent has no as-built record for well or septic location which was done in 1985. The property to the East is the Recreation Center. Mr. Anderson is removing the tires and blacktop which will be leveled for a lawn. He is not planning on any addition construction. The property is approximately 1.8+ acres. He needs the addition for inventory storage and distribution. Mr. Anderson stated they have been at this location since 1985 and added on twice. They distribute goods (paper), floor cleaning soaps. All are water based not solvent based. Mr. Anderson confirmed they do not have a sprinkler system due to well capacity issues. The last addition had a fire door at the request of Chief Pray. They will install the same door on the new addition. Mr. Russell stated the roof drain system was analyzed for a 100 year storm event. Mr. Russell spoke to Ms. Bradley regarding the necessity for soil testing and she indicated it was not needed provided they had good base line information to go on. Mr. Russell stated the groundwater is very low on this site, predominately sand with a 2 min/inch rate. A high capacity infiltration system in the lawn area is proposed. Mr. Moitozo questioned a notation regarding interim well head protection area and asked where that is. Mr. Russell was not sure. Mr. Moitozo wonders if it KP Diner. Mr. Anderson stated his well is very close to KP Diner. Mr. Moitozo stated they cannot approve the plan until the Form A combining the lots has been approved. Ms. Bradley stated they have plenty of time to submit the Form A for approval before the SPA/GWSP deadline. The Form A approval and SPA/GWSP approval can be done at the same time at the next meeting. This matter will be continued at the next Planning Board meeting on September 21, 2016.

2. Zoning By-Law Amendment – Chapter E, Zoning By-Laws, Article 2.0 – Definitions and Article 5.6 – Signs.

Mr. Moitozo proposed reconvening the hearing for the Zoning By-Law Amendment. He began by stating that since the last meeting Ms. Bradley and Mr. Bertozzi worked together to try to address some of the concerns that were expressed by residents at the last hearing. Mr. Bertozzi stated they investigated similar town by-laws from other towns. There is drastic re-writing needed. It will not be ready for warrant article for special Town Meeting. Mr. Bertozzi addressed the issue of signs for agriculture by stating the Town of Rehoboth has a chapter in the town's general by-laws called the "Right to Farm By-Law". Farm signs are allowed per the "Right to Farm" By-Law. The definition of "sign" will be changed to narrow it down to say a sign is basically something designed specifically for the purpose of advertising. Internally illuminated signs are prohibited but more work is needed on this issue. Mr. Bertozzi is hoping to come to a compromise on this, and to end up with interior illuminated signs that look good and don't look like a carnival is going on, and will attract customers with money to spend. He went on to note that off-premise signs are still an issue. They are using the Town of Norton language that allows off-premise signs by special permit from the ZBA. Off-premise signs are also considered billboards. They will continue to work on this to make it more workable and understandable. Sign technology has come a long way. Mr. William Costa made a few changes and will send them to Mr. Bertozzi. Mr. Otis Dyer had a comment on page 8 regarding Indemnification and Insurance. He asked if that will pertain to signs that are exempt. Mr. Bertozzi suggested seeking the advice of town counsel for clarification on this question. Mr. Dyer noted that a 100K insurance policy would need to be in place as part of the permitting process before commercial or non-exempt signs are erected. Mr. Bertozzi agreed. All voted aye to close the public hearing.

3. Subdivision Regulations Amendment – Section 104 Fee Schedule – Ms. Bradley stated the Form A Application Fee was \$1,000.00 and \$400.00 per new buildable lot. It was discussed to have a \$400.00 application fee and \$600.00 per new buildable lot. This new fee would be applied when lot lines are being moved and new buildable lots are not being created. Mr. Otis Dyer was present and expressed his concerns with the fee structure being too high. He feels the fees are outrageous. Mr. Brooks stated fees can be set at the discretion of the board. This was confirmed by town counsel. Mr. William Costa suggested continuing this discussion at the next meeting. Mr. Costa motioned for a continuance of the public hearing. Mr. Cooper seconded the motion. Motion passed.

New Business

1. Traffic Signals/Signs – Discussion with BOS – *postponed until 9/21/2016*

Old Business

1.

Minutes

1.

Invoices

1. Fuss and O'Neill – Idlewoods Estates - \$131.32

Mr. Brooks motioned to approve payment to Fuss and O'Neill in the amount of \$131.32

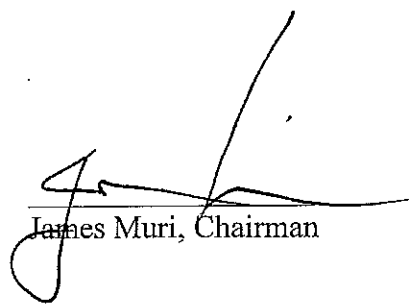
Mr. William Costa seconded the motion. Motion passed.

Adjournment Bertozzi seconded the motion. Motion passed.

Mr. William Costa motioned to adjourn at 8:30p.m.

Mr. Bertozzi seconded the motion. Motion passed.

Respectfully Submitted,



James Muri, Chairman