

**TOWN OF REHOBOTH
ZONING BOARD OF APPEALS
MINUTES OF 10/26/2017**

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REHOBOTH, MA

A regular meeting of the Zoning Board of Appeals was held on 9/21/2017, at the Gladys L. Hurrell Senior Center, 55 Bay State Road Rehoboth MA. The meeting was called to order at 6:00 P.M. by Chairman DuVally with the following members present: Charles DeBlois Jr., Frank Moitozo, Richard Barrett, Steve Silva and Town Council, Attorney Jay Talerma.

File# 798 – Women's Development Corp.(Wdc) – Anawan School Apartments

Mr. DeBlois made a motion to re-open the public hearing for file# 796, seconded by Mr. Moitozo. Motion carried unanimously in a roll call vote. Wdc has filed an Application for a Comprehensive Permit to construct 36 affordable senior apartments located at 51/55 Bay State Road, Rehoboth, MA.

Chairman DuVally stated that a consultant has hired by the Town to review the project and comment to the ZBA. The funds to pay for these services have been deposited by the Applicant with the Town.

Mr. Dean Harrison continued the presentation of the application for Wdc. Further discussion of an easement for the water supply well have taken place with an abutter and are ongoing. He has provided the water study to the Town Water Commission and is available to meet with then if necessary. A complete review of the demographics of other similar facilities operated by the Applicant was presented.

Members of the ZBA then questioned Mr. Harrison on issues related to parking, building layout and elevator location as well as others.

The hearing was then opened to Public comment. Many abutters attended the hearing and voiced their concerns and questions regarding the project. Issues discussed included the drinking water well, Fire Safety, the area Medium Income, the details of the agreement the Applicant has signed with the Town as well as other matters.

A motion was made by Mr. DeBlois and seconded by Mr. Moitozo to continue the Public Hearing until the Nov. 16, 2017 ZBA meeting to be held at 6:00. All voted in favor.

File # 800 – Rushing

Mr. Moitozo made a motion to open the public hearing for file# 800, seconded by Mr. Barrett. Motion carried unanimously in a roll call vote.

This meeting was to consider an application for a Special Permit to subdivide the property to create a lot for Mrs. Rushing's daughter located at 210 Tremont Street, Rehoboth, MA.

A motion was made by Mr. Moitozo to open the Public Hearing which was seconded by Mr. Barrett. All present voted in favor of the motion.

Rachel Smith from E. Otis Dyer Co. testified, on behalf of Mrs. Rushing, that the house was built circa 1830 and as such the property is a pre-existing non-conforming lot. The lot will be divided into one lot of 2.59 acres and one of 1.38 acres, both with 200+ feet of frontage. There are two houses now existing on the lot, the other being constructed circa 1940.

Two abutters spoke against the application.

Mr. Anthony Castro insisted that the single family house on the property was actually a duplex and that the septic system has not been upgraded. He was concerned about additional flooding in the area if an additional house was built on the lot.

Mr. Matt Orsini was concerned that the new house and lot would be sold outside of the family.

A motion was made by Mr. Moitozo and seconded by Mr. Silva to close the public hearing.

After some discussion, a motion was made by Mr. Barrett and seconded by Mr. Silva to grant the Special Permit.

A roll call vote was conducted:


Mr. Moitozo – No, Mr. DeBlois – Yes, Mr. DuVally – Yes, Mr. Barrett – Yes
Mr. Silva – Yes.

The motion carried.

There being no further business, a motion was made by Mr. Moitozo to adjourn the meeting, seconded by Mr. Barrette. All voted in favor. The regular meeting ended at 8:20 P.M.



David Pereira II
Chairman


John Scanlon
Vice Chairman