

PLANNING BOARD

148 Peck Street

Rehoboth, MA 02769

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

**Meeting Minutes
July 1, 2015
Town Offices
148 Peck Street
Rehoboth, MA 02769
7:00 PM**

Present: James Muri, Robert Moitozo, John Moriarty, Stephen Brooks, Jr., Edward Bertozzi, Christopher Cooper, Tomas Ennis; Town Planner – Leeann Bradley

Absent: John Scanlon

Pledge at 7:00p.m.

Form A
None

Public Hearings

Kearsarge Rehoboth LLC – 128 Bay State Rd. – 15-01Solar, 15-02GWSP, 15-02SPA – Mr. Rich McCarthy was present on behalf of the applicant. They received the Decommissioning Agreement from Ms. Bradley earlier in the day and are good with the language. The Landscaping Surety is also agreeable as a short term form of surety for aesthetic improvements if the applicant/owner fails to adequately screen/buffer/fence the project. The Operation and Maintenance Plan was forwarded to Fuss & O'Neill today for their review.

The Fire Department does not have any issues and the Fire Chief will forward something to Ms. Bradley in writing.

Additional buffer plantings are needed in order to fully buffer the abutter. This area is within the Riverfront Area and western arbor vitae is recommended as it is deer resistant.

The Board discussed the locations of the utility poles. The poles as shown on the plan will need to be relocated away from the street. Mr. McCarthy stated that he would relay this to National Grid. The Board will make this a condition of approval that the utility poles are not observable from the street. The switchgear can also be pad mounted which can be screened by landscaping. Mr. Moriarty motioned that the first pole which holds equipment must be 100' off BayState Road and subsequent poles can be at 50' intervals. One pole, without any equipment, may be located at BayState Road. Mr. Bertozzi seconded the motion. Motion passed.

New Business

Correspondence – Mr. Muri read correspondence from John Pacheco into the record.

Old Business

Housing Production Plan and 40B Subdivisions

Mr. Bertozzi stated that he went to the Library of Trial Courts of Massachusetts which houses all cases in the entire country. There are two databases, Westlaw and Lexus. He reviewed several cases regarding the Housing Appeal Committee.

Mr. Bertozzi would like to visit with town counsel, Mark Bobrowski with regard to the Housing Production Plan, the Zoning Board of Appeals 40B regulations and the Board of Health regulations. The major issue is water and septic. The ZBA initially won with the Housing Appeals Committee against Manitook Estates which lowered the subdivision to 16 lots but it was overturned by the Court and remanded back to the original 34 or so lots.

Mr. Muri motioned to authorize Mr. Bertozzi to speak with Mr. Bobrowski regarding 40B subdivisions. Mr. Ennis seconded the motion. Motion passed.

The Housing Production Plan needs to be forwarded to the Department of Housing before it comes back to the Planning Board and Board of Selectmen for a vote.

280 Summer Street Solar Farm – SunEdison - Landscaping Plan

The Planning Board will visit the site to look and see if all plantings are done with the correct amounts. They will report back at the next meeting, July 15, 2015.

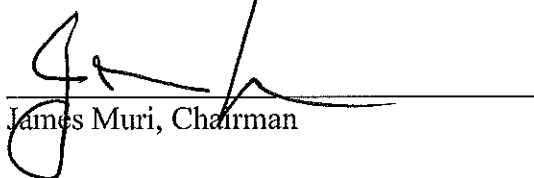
Executive Session

Mr. Bertozzi motioned to go into Executive Session regarding legal action involving Moonlight Estates subdivision and to return from Executive Session only for the purpose of adjourning the regular meeting. Mr. Ennis seconded the motion. Roll call vote – Muri, aye, Moitozo, aye; Bertozzi, aye; Moriarty, aye; Cooper, aye; Ennis, aye; Brooks, aye. Motion passed.

Adjournment

Mr. Moitozo motioned to adjourn at 8:25 p.m. Mr. Bertozzi seconded the motion. Motion passed.

Respectfully Submitted,



James Muri, Chairman