

TOK 2-2-17

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 20, 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.

Form A

1. 26 Elm Street – Saxon – 16-01A – Mr. Brian Grady from GAF Engineering was present on behalf of the applicant. He is proposing dividing a parcel that is currently 8.9 acres into two lots. Lot 10 is 2.6 acres and Lot 11 is 6.2 acres. Both lots are oversize and have frontage. There is some encroachment and the abutter is aware of that. The Land Court has completed their review. Mr. Cooper motioned to endorse the Form A. Mr. Moitozo seconded the motion. Motion passed.

Public Hearing

1. SunConnect – 297 Winthrop St. – 15-02Solar, 15-05SPA, 15-04GWSP –

Mr. Moitozo motioned open the Public Hearing for SunConnect for the Large Scale Solar Permit Application, Site Plan Approval Permit Application and the Ground Water Special Permit Application.

Mr. Cooper seconded the motion. Roll call vote: all aye.

Mr. Frank Bicchieri from Bertin Engineering was present and gave a brief summary of the project. He stated the site is 46 acres and is zoned residential/agricultural and is in the Ground Water Protection District. The site is wooded with extensive wetlands. He is proposing a 1 Megawatt Solar Array system. There will be a gravel access road with a turnaround and a detention system. He noted this project has gone before the Conservation Commission for the ANRAD and is currently out for peer review. There will be a solar seed mix for ground cover within the solar array. Maintenance consists of mowing a few times per month and snow removal. Mr. Muri asked Mr. Bicchieri if he was familiar with the bylaw regarding Large Scale Photovoltaic Arrays in

particular with the language regarding switch gear appurtenances and poles etc... Mr. Moitiozo noted some of the issues with past solar projects have been the unsightly poles and screening. Ms. Bradley offered to give Mr. Bicchieri the specific language for the bylaw. Mr. Muri then strongly stated the switch gear poles etcetera at the entrance of the project will not happen. Mr. Moitiozo noted National Grid is amenable to that as well. Mr. Muri noted they will require screening and buffering for any adjacent lot with building potential. He also asked about a security fence. Mr. Bicchieri noted there is no security fence at the entrance of the solar array but one can be installed at the entrance of the access road. Mr. Muri informed Mr. Bicchieri that any gate that is installed must conform to the rural character of the town. A chain link fence will not be acceptable. Mr. Moitiozo noted the abutters to the South and West are not shown on the plan and should be. Mr. Muri then reminded Mr. Bicchieri that two forms of surety are required for the project. One for Decommissioning for the lifetime of the project and the other is for Landscaping Esthetics for two years. He also noted this project will require a peer review from the town's engineer. Mr. Cooper motioned to request a proposal from Fuss and O'Neill for the engineering and landscape review.

Mr. Ennis seconded the motion. Motion passed.

Mr. Muri reviewed a few more requirement of the Planning Board for the project such as deer resistant and blight resistant plants that will survive without a lot of maintenance. He also added an O&M Plan will be required and should clearly delineate who is responsible for maintenance of the fence, gate and landscaping as well as a schedule for mowing, trimming, watering and fertilizing.

Since the project is within the Ground Water Protection District it will require transformer oil that is eco-friendly as well as MSDS sheets. Mr. Muri asked about lighting and Mr. Bicchieri noted that motion sensor security lighting will be in place at the inverters. Mr. Moitiozo requested to see the direction of the lighting. Mr. Muri requested shielded down lighting that will not disturb neighbors. He also reminded Mr. Bicchieri about the list of prohibited uses within the Ground Water Protection District Bylaw, and that he will need to sign an affidavit stating he does not intent to store any hazardous material on site. Mr. Muri informed Mr. Bicchieri that if they have an entry gate at the entrance of Route 44 it will require esthetic dressing-up to be acceptable. He also asked about the footings and Mr. Bicchieri noted the project will be using concrete footings.

Audience member Earl Dias, 91 Reservoir Avenue had a question for the Planning Board regarding where the entrance will be. Mr. Bicchieri noted the entrance will be across from Pine Grove Road. There will be 6 acres of working area to be cleared. There were no other questions. This matter will be continued to February 3, 2016.

## New Business

### Old Business

1. Algonquin Gas – Compressor Station – update – Ms. Bradley stated she attended the Algonquin informational session at Francis Farm and found it very helpful. She noted she had informational hand-outs if anyone wanted to take a look. Algonquin will be working on permitting and scoping for the next 2 ½ years. She has contacted Town Counsel regarding Site Plan Approval and case law they have found. This information has been sent to Algonquin's counsel for review. Town Counsel will get back to Ms. Bradley.

2. Distribution Center – Fall River Ave. – Seekonk – Ms. Bradley attended the Environmental Notification Form meeting and stated the main issue of everyone in attendance was the increase in traffic. No traffic signals are proposed. Those in attendance found it hard to believe this is not warranted.

3. SunEdison – 280 Summer Street – Landscaping plan – update - Ms. Bradley has been in contact with Town Counsel. She stated she has tried every method of contacting SunEdison but there has still been no response. Town Counsel's first recommendation is to issue a Cease & Desist from the Building Inspector. The Planning Board needs to make a request to the Building Inspector to issue the Cease and Desist.

Mr. Cooper motioned to request the Building Inspector to issue a Cease and Desist to SunEdison at 280 Summer St. due to their lack of fulfilling the requirements of the permit.

Mr. Scanlon seconded the motion. Motion passed.

Mr. Moitozo abstained.

4. BlueWave – Landfill Solar – Site Plan Approval – update – Mr. Aiden Foley from Blue Wave Capital LLC was present as well as Mr. Rengit Patsali from NRG Renew. NRG Renew is the new owner/operator of the project. Mr. Muri confirmed they are requesting a minor modification to the Site Plan Approval and owner/operator conditions. He asked Mr. Foley if he would be willing to request a minor modification to the Site Plan Approval which will not require a public hearing. Mr. Foley found that to be amenable. Mr. Patsali from NRG Renew was present to answer questions for the Planning Board, and to make sure NRG is in compliance with the requirements that are part of the existing conditions of the Site Plan Approval as well as the O&M requirements for the project. He gave a brief overview of NRG, noting they work closely with all parties to make sure they are in total compliance. They have a state of the art monitoring center in Scottsdale Arizona that receives data in 5 minute intervals for all sites across the country. Mr. Patsali stated he is ready to come into the project and work closely with the town. Mr. Muri is interested in the esthetic considerations for the project which are part of the O&M plan. Mr. Patsali noted they pay close attention to maintenance of all sites. Mr. Muri noted SPA condition #5 which reads: "This Site Plan Approval is granted for the use of the present owner or applicant for the construction/operation of a solar photovoltaic farm within a residential/agricultural zoned area and shall expire upon change of ownership or use of the property". Mr. Muri proposed waiving this condition in exchange for an agreement from NRG that they will abide by all the conditions of the aforementioned documents that were submitted as part of the application process. Mr. Patsali stated he is willing to commit to that.

Mr. Cooper motioned to grant a Site Plan Approval minor modification for condition #5 for the Rehoboth Landfill Solar project.

Mr. Scanlon seconded the motion. Motion passed.

Mr. Scanlon motioned that in exchange for waiving item #5 on the Site Plan Approval list of conditions, NRG will agree to abide by all of the conditions set forth in the original application by BlueWave as amended through the application process and all permits associated with said application process.

Mr. Ennis seconded the motion. Motion passed.

Mr. Muri asked Ms. Bradley to compose an agreement for NRG to sign off on, with a copy also sent to Aiden Foley.

Minutes

- |                    |                    |
|--------------------|--------------------|
| 1. March 4, 2015   | 2. March 18, 2015  |
| 3. April 1, 2015   | 4. April 15, 2015  |
| 5. May 6, 2015     | 6. May 20, 2015    |
| 7. August 19, 2015 | 8. October 7, 2015 |

Mr. Brooks motioned to approve the minutes.

Mr. Ennis seconded the motion. Motion passed.

Mr. Scanlon abstained.

Mr. Muri mentioned the budget. This will be on the next agenda for discussion.

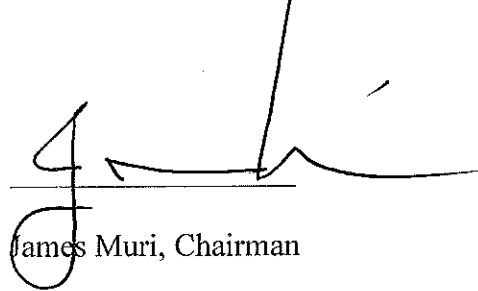
Invoices

Adjournment

Mr. Moitozo motioned to adjourn at 8:15 p.m.

Mr. Cooper 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 horizontal stroke.

James Muri, Chairman