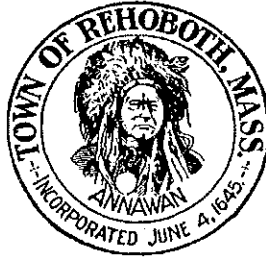


TOR 2-2-17

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
February 3, 2016
Town Offices
148 Peck Street
Rehoboth, MA 02769
7:00 PM

RECEIVED
17 FEB - 2 AM 8:14
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. by Mr. Moitozo. He began the meeting as Mr. Muri was not yet present. Mr. Muri joined the meeting a short time later.

Form A

1. Faraone-Ledgard, Kenneth & Norma – 20 Danforth St. – 16-02A – Mr. Ray Delano was present on behalf of the applicant. He is proposing Lot 1 with 239' of frontage and 78,000s.f. Lot 2 is a retreat lot with 11 acres with 6 acres of contiguous upland and an existing house Lot #2. The driveway will be relocated. Parcel A is 6 acres and the applicant wants to know if an abutter is willing to purchase that lot. It could be of value to an abutter. Parcel A is taxed separately. The Town of Rehoboth abuts the property. If an abutter is not interested in the property it could be donated to the town. There are walking trails and at one time a YMCA camp. Mr. Moitozo asked about the powerlines servicing #20 that currently cross Lot 1. Mr. Delano stated if Lot 2 is sold they will have to create an easement or relocate the powerline.

Mr. Cooper motioned to endorse the Form A.

Mr. Ennis seconded the motion. Motion passed.

Public Hearing

1. SunConnect – 297 Winthrop St. – 15-02Solar, 15-05SPA, 15-04GWSP -- This matter will be continued to the meeting of February 17, 2016.

New Business

1. Snow removal policy for unaccepted roadways – Board of Selectmen representative –

Discussion. Selectmen, Michael Costello, Skip Vadnais, Jerry Schwall and David Perry were present for the discussion.

Mr. Vadnais motioned to open the meeting.

Mr. Perry seconded the motion. Motion passed.

Mr. Costello began by stating that currently they require developers to maintain their roads during the process of the subdivision, until the road is accepted by the town. This includes, drainage, cleaning of the road(s), plowing, sanding and such. The selectmen have been challenged by the complaints they are receiving. The developers are maintaining the roads but are not doing so in a timely manner. It is making it difficult for school busses to enter and exit subdivisions. He also noted some developers do not get their roads accepted in a timely manner. Therefore the Selectmen voted to have the Rehoboth Highway Department safely plow and/or treat the subdivision roads as needed.

Mr. Costello stated he is before the Planning Board tonight to ask for their support to re-write the regulation and/or enforce it better and perhaps also increase the bond requirement to allow the town to draw from that bond to pay the Highway Department to clear snow and ice. Mr. Costello suggested a workshop to come up with a new regulation. The Planning Board asked for a definition of a “timely manner”. Mr. Ennis stated he lives on an approved road and it has taken 3 days to be plowed out at times. Mr. Muri asked if it would be easier and better to have the Highway Superintendent take control and decide when to plow and what kind of mix is to be used for treating the roads. This would require some sort of a bond to reimburse the town for the cost. Mr. Costello found that to be agreeable by the Selectmen. Mr. Vadnais stated that technically they are not supposed to spend tax dollars to plow unaccepted streets. They do so to address a real safety issue especially with small children on school busses. Mr. Moitozo wondered if there is an issue with municipal vehicles on private roads. Mr. Muri stated the town has access to those roadway for fire, police etc. Mr. Costello asked that it be part of a possible new regulation. Mr. Muri feels Town Counsel should be consulted for appropriate language for the regulation. This would include what might happen if a plow damages some part of the subdivision before it’s accepted. Who is responsible for making restitution? Mr. Perry stated they are not suggesting the town immediately take over unaccepted roads. The developer should have the first option to address the minimum standards set forth by the Planning Board before the town exercises their authority to step in for public safety reasons. Mr. Costello added they would then be able to draw from the bond if necessary. He added the Highway Department received a lot of complaints during winter storms. Mr. Muri noted there are other details to be worked out. He suggested the acting Highway Superintendent; a few members of the Planning Board and Board of Selectmen sit down and define the detail of the policy. It could be reviewed by Town Counsel and then incorporated into the Sub Division Control Regulations. Mr. Moitozo added that there must be clear direction for the developer so there are no questions regarding what is to be done and when. Ms. Bradley will contact the Selectmen for further discussion.

2. National Grid – Solar Farm Pole Placement - Discussion – Eric Widman, Chris Raymond and Bob Russell from National Grid were present for the discussion. Mr. Muri began by stating the town has several solar projects some of which have been problematic. One project had a 5 pole cluster with switch gear apparatus mounted. It is on a scenic road. He asked National Grid if there is a method of maintenance for the switch gears and equipment without having clusters of utility poles that look horrible. Mr. Widman stated the overhead option is the least expensive. Pad mounted is more expensive but makes a huge difference in appearance. Some sort of switch gear is needed with a pole and usually a supporting pole. Mr. Muri asked if this issue can be the

responsibility of the developer to supply what National Grid requires. Can the Planning Board promulgate rules and regulations that do not conflict with what National Grid is trying to achieve? Mr. Widman felt that would be possible. Getting to the underground piece would require seeing switch gears, and the cost of that would be the burden of the developer. Mr. Muri stressed it is important to maintain the rural nature of Rehoboth. Mr. Widman added that there may also be an issue if the project is across the street from the lines. It may require another utility pole. Mr. Russell noted National Grid does not want to pass on the cost to ratepayers. The development cost should be picked up by the developer. Mr. Russell stated they made a few changes to the Zoning Bylaw Amendment that he felt was very fair. He then read aloud the new utility connection amendment into the record as follows:

3.9.4 B Utility Connections – Reasonable efforts as determined by the special permit granting authority shall be made to place all utility connections for the large scale ground mounted solar photovoltaic installation underground depending upon appropriate soil conditions etc.. (the change would be the next sentence) The preferred design is for only one utility pole. One utility pole out on the street right away for connection purposes. However, the electric utility can be petitioned for additional poles if required.

Mr. Russell read in part the following:

3.9.5 Screening – The large scale ground mounted photovoltaic facility including all accessory structures and appurtenances shall be visually screened so as not to be visible from abutting streets and properties except for electric utility owned equipment in the street right of way.

Mr. Russell clarified this section. He added they cannot have screening for a pole that is in the street right of way as the screening would grow into the overhead wires, especially if the overhead line crosses the street. Mr. Muri asked if it is possible to have a National Grid representative attend meetings from time to time and answer questions from the Planning Board. Mr. Russell suggested contacting Ann Mally who is the community representative and let her know what is needed. The Planning Board thanked National Grid for attending.

3. 242 Winthrop St. – Comcast – SPA modification – Discussion – Mr. Rich Riccio from Field Engineering was present on behalf of Comcast and MTC Mechanical. He began his presentation by stating the building permit has been issued, but no construction for the addition has begun. The applicant would like to relocate the HVAC units from behind the building to the side of the building. The HVAC units would still be within the fenced area. The configuration will be the same. The property abuts the Mobil station. There are no homes in the area. There are no other changes being proposed. They will be installing a 6' fence not an 8' fence due to setback regulations. He stated a 6' fence will be more than adequate. Mr. Ennis noted that if someone were to complain about noise in the future would it be possible to install a solid fence? Mr. Riccio stated they could comply with noise proofing measures. Mr. Riccio asked if this would qualify as a minor modification to the plan or would he have to submit a formal request and have another public hearing. Mr. Muri and the board felt it was a minor modification but requested an agreement that if noise levels became problematic the Planning Board could request a noise proof fence. Mr. Riccio agreed. Ms. Bradley will draft an agreement and she also requested a new plan. Mr. Ennis motioned to grant a conditional minor modification with the agreement regarding noise. Mr. Scanlon seconded the motion. Motion passed.

4. Bill Devine – Solar Farm – off Cross Street – Discussion – Mr. Otis Dyer was present as well as the applicant Mr. Bill Devine. Mr. Dyer began by stating the property consists of approximately 130 acres in the northwest corner of Rehoboth. The solar farm will consist of 76 acres. He wants to avoid wetlands wherever possible. This will allow for a 19 Megawatt facility. The project is conceptual at this point but can potentially be one of the largest in Massachusetts. He noted there is no service road. There is a pole for the interface and then ground mounted and underground service into the facility. Screening and buffering will be needed. He has not contacted National Grid yet. The project is so large it will need a dedicated line to the sub-station in Attleboro. A service road will be needed for emergency purposes. Mr. Dyer noted they will do whatever is required underground. The project has the potential to power 2,500 to 3,000 homes. Mr. Muri noted that a modified regulation is now in the hands of the Attorney General's office and they anticipate getting information back soon. It is for a special permit and the Planning Board will be following the new language. Mr. Dyer clarified fees with Ms. Bradley. No other questions arose. The discussion ended.

5. 2016 Technical Assistant Grant – Update – Ms. Bradley submitted the grant to SRPEDD as a draft for them to look over. Grant King emailed Ms. Bradley stating it was fine, and they took it.

6. FY2017 Budget – Ms. Bradley stated the budget is the same as last year except she added in additional funds for the Administrative Aide. This will basically split the yearly salary for the aide between Planning and Conservation. Mr. Muri and the board felt this was acceptable.

Mr. Brooks motioned to approve the FY2017 Budget.

Mr. Scanlon seconded the motion. Motion passed.

Old Business

1. SunEdison – 280 Summer Street – Landscaping plan – update - Ms. Bradley stated that after the last meeting she received a phone call the next day from a representative of SunEdison in San Francisco who is now handling the project. Everyone else who was associated with this project is no longer associated with the company. The company is on the verge of bankruptcy. The representative was willing to cooperate and asked what was needed. Ms. Bradley reviewed the issues regarding the gate and landscaping. During their discussion the representative began to change his tune regarding landscaping stating they completed the landscaping plan. Ms. Bradley informed him SunEdison did not adhere to the plan. The representative then asked for her to explain how they *didn't* follow the plan? She asked for them to show her how they *did*? She is now waiting to receive a list from this representative of the plantings from the landscaper. She has not received it yet. Mr. Moitozo asked if Ms. Bradley explained to the SunEdison rep that it will be much more difficult to finish landscaping after they are issued a Cease and Desist. She made it very clear they were made aware of this. She let the representative know that all future correspondence will be via email only. Mr. Muri suggested issuing the Cease and Desist to get SunEdison's attention. This was voted on at the last meeting. There is a \$27,000.00 performance bond on the project. It is held by a bonding company. A draft Cease and Desist has been issued to the Building Inspector who also enforces the Cease and Desist. Mr. Muri noted they have the ability to shut off the site. This matter will be continued at the meeting of February 17, 2016.

2. BlueWave – Landfill Solar – Site Plan Modification – update – Ms. Bradley stated they are all set. She has a copy of the agreement that was sent to them. It was just mailed out and Mr. Foley will be sending it back.

3. SunConnect Proposal from Fuss & O'Neill – Engineering and Review

Mr. Moitozo motioned to authorize the proposal from Fuss & O'Neill for SunConnect at 297 Winthrop St. in the amount of \$4,000.00.

Mr. Cooper seconded the motion. Motion passed.

Correspondence

Mr. Muri noted the Agricultural Commission has invited the Planning Board to attend their meeting on February 11, 2016 at the Senior Center at 7:00pm, for a discussion of the Palmer River Initiative.

Gas Compressor Station – Mr. Muri stated Town Counsel got back to him on this matter. The applicant has preemptive language granted to them by FERC. It can still be heard at a public hearing for comments on the station.

Mr. Muri brought up language regarding video and/or flashing signs. There is no language regarding video signs. He recommended some workshop sessions. Ms. Bradley will email to the Planning Board the information that was drawn up before. This will be added to a March agenda.

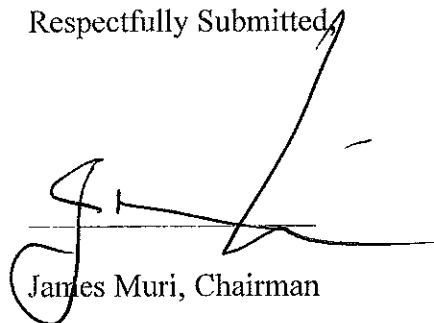
Minutes

Adjournment

Mr. Scanlon motioned to adjourn at 8:31 p.m.

Mr. Moitozo seconded the motion. Motion passed.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'J. Muri', written over a horizontal line. The signature is stylized with a large initial 'J' and a long, sweeping horizontal stroke.

James Muri, Chairman