

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.  
William Costa

**Meeting Minutes  
April 20, 2016  
Town Offices  
148 Peck Street  
Rehoboth, MA 02769  
7:00 PM**

RECEIVED  
17 MAR - 2 AM 9:51  
OFFICE OF THE TOWN CLERK  
REHOBOTH, MA

Present: James Muri, Robert Moitozo, Edward Bertozzi, Tomas Ennis, Stephen Brooks, Jr., William Costa; Town Planner – Leeann Bradley

Absent: Christopher Cooper

Pledge at 7:07p.m.

Form A

**Public Hearing**

1. SunConnect – 297 Winthrop St. – 15-02Solar, 15-05SPA, 15-04GWSP – Mr. Frank Bicchieri from Bertin Engineering was present on behalf of the applicant. Ms. Bradley stated the Conservation Commission closed their public hearing at last night's meeting. Ms. Bradley noted changes to the basin were made. Mr. Muri added the only issues remaining were the Decommissioning Bond and the Landscape Bond. Mr. Bicchieri stated his client is willing to have \$50K in cash put into an escrow account. They do not yet have a letter of credit since they do not have all the approvals required. The Landscaping Bond will have 10K and Decommissioning Bond will have 40K. It will be 2 separate accounts. Comments from Fuss & O'Neill will be incorporated into the Decommissioning Agreement. Ms. Bradley added a condition regarding new owners complying with the conditions set forth in the plan and that failure to comply may result in the issuance of a Cease and Desist, which could affect connectivity with the provider (National Grid).

Mr. Moitozo motioned to close the public hearing for the Solar application, Site Plan Approval and Ground Water Special Permit application for SunConnect.

Mr. Ennis seconded the motion. Motion passed. Roll call. All aye.

Mr. Moitozo motioned to approve the Solar Application contingent upon the aforementioned decommissioning conditions.

Mr. Brooks seconded the motion. Motion passed. Roll call. All aye.

Mr. Moitozo motioned to approve the Site Plan Approval Application contingent upon the aforementioned decommissioning conditions.

Mr. Brooks seconded the motion. Motion passed.

Mr. Moitozo motioned to approve the Ground Water Special Permit Application contingent upon the aforementioned decommissioning conditions.

Mr. Ennis seconded the motion. Motion passed. Roll call. All aye.

2. Zoning Map Amendment - Map 1, Lots 25, 26, 44, 25 and 46 rezoned from Residential/Agricultural to General Business – Continued from the public hearing meeting of April 5, 2016 - Mr. Dan Noons was present, as well as Mr. Steve Noons. Mr. Dan Noons began by stating that he has met with all the abutters and they have come to a verbal agreement regarding what they would do at the time of sale if they find a buyer. An earth berm will be installed along the east side of the gas line easement. There will be no access to or from Mason Street unless it's required by the town. It could be gated. An abutter, Mr. Don Parent who resides at 178 Mason Street, was in attendance and raised concerns with the possibility of 5 new wells which could run dry. It was noted that a large portion of the property is in Swansea and that most of the frontage is in Swansea. A future buyer of the property will most likely tap into the Swansea public water supply. Mr. Noons stated there would most likely be an office building on the property and not something large volume such as a car-wash. Mr. Muri reminded Mr. Noons the rezoning will ultimately have to go to Town Meeting for a decision on the zoning change. Mr. Bertozzi then went over what Mr. Noons intends to accomplish with the rezoning. He confirmed that Mr. Noons wants to create one large lot with a portion of it in Swansea. Most of the frontage is in Swansea and will draw potential buyers who will not have wells but will use the Swansea public water supply. Mr. Bertozzi asked what Swansea has to say about supplying water to that property. Mr. Noons has not approached Swansea on this matter. They are not sure if or when the property will sell. He feels it is the buyer's responsibility to get a response from Swansea. Mr. Bertozzi stated it would be to his advantage to find out if they could tap into the Swansea water supply since it would make his property more valuable. Mr. Steve Noons stated he is already using Swansea water for his restaurant which is on the property in question and located in Swansea. Mr. Muri stated if a high volume well is needed the buyer would have to tie into Swansea. A residential size well would mostly likely be permitted. Mr. Parent came forward and stated his home is next to the property to be developed. He reviewed his issues regarding the wells. He discussed with Mr. Bertozzi exactly where the gas line berm begins and ends in relation to his property. Mr. Bertozzi found the clarification helpful.

Mr. Brooks motioned to close the public hearing.

Mr. Ennis seconded the motion. Motion passed.

Mr. Bertozzi motioned to send a memo to the Board of Selectmen informing them about the public hearing. They should be made aware that a verbal agreement has been reached between the applicant and their abutters. The Planning Board remains neutral in this matter and does not approve or disapprove the action requested by Mr. Dan Noons and Mr. Steve Noons.

Mr. Ennis seconded the motion. Motion passed.

## New Business

## Old Business

1. Sign Amendments – Changes were made by Ms. Bradley from the discussion at the March 16, 2016 meeting. A public hearing will need to be held for comments. This will not happen until after the Annual Town Meeting. Some minor language changes were made to Item #2 (a), (c) and (d). Ms. Bradley will find out if changes to the sign amendment can be made based on comments at the public hearing.

2. Hydrogeological Assessment Regulations – update – Mr. Bertozzi began by stating he had a meeting with the Board of Health. A draft proposal was presented of a proposed Board of Health Regulation on Hydrogeological Assessments for wells and septic systems. He has learned that the Board of Health has discussed this from time to time but has not come to any conclusion. It has been difficult to come to conclusions regarding triggers. He reviewed the potential triggers with the board. Mr. Muri suggested that the Planning Board meet jointly with the Board of Health to discuss what the agreed upon numbers in relation to triggers should be, especially since this is a Board of Health regulation. The Planning Board agreed. The Board of Health will be invited to the next Planning Board meeting on May 18, 2016. Mr. Bob Ashton, Health Agent will be invited to attend.

#### Minutes

#### Invoices

1. Fuss & O'Neill – SunConnect – Winthrop St. - \$333.50

Mr. Ennis motioned to submit payment to Fuss & O'Neill in the amount of \$333.50.

Mr. Brooks seconded the motion. Motion passed.

Mr. Brooks motioned to enter into Executive Session with the Board of Selectmen for the purpose of discussing legal action against SunEdison.

Mr. Bertozzi seconded the motion. Motion passed.

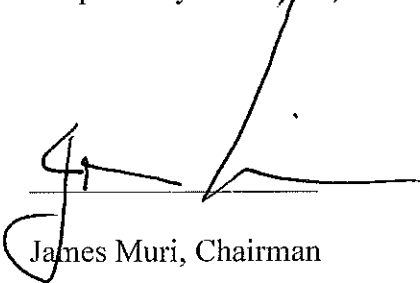
#### After Executive Session

#### Adjournment

Mr. Brooks motioned to adjourn at 9:05 p.m.

Mr. Ennis seconded the motion. Motion passed.

Respectfully Submitted,



James Muri, Chairman