

TOR 7-19-16

PLANNING BOARD  
148 Peck Street  
Rehoboth, MA 02769  
(508) 252-6891 Telephone  
(508) 252-5342 Facsimile



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  
March 18, 2015  
Town Offices  
148 Peck Street  
Rehoboth, MA 02769  
7:00 PM**

RECEIVED  
16 JAN 25 AM 10:29  
OFFICE OF THE TOWN CLERK  
REHOBOTH, MA

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

Absent: John Moriarty, Robert Moitozo, John Scanlon

Pledge at 7:00p.m.

Complaint – Summer St. Solar – Mr. Muri made a visit to 280 Summer St. after a complaint by a neighbor regarding the excessive number of telephone poles and stonewall damage at the site. Mr. Muri confirmed that there were a larger number of poles than were shown on the plan and some were on the wrong side of the street. It also looked like some were being staged. Mr. Muri is asking that a letter be sent to the applicant to have them come before the Planning Board at the meeting on April 1, 2015 to explain what is going on. They are not to install any additional poles until they have explained to the Board the location and number of poles to be installed. The poles are very difficult to see on the plans. Mr. Muri will request buried utilities for the next solar project. Mr. Brooks has noticed National Grid activity in town installing poles and wonders if it is them at 280 Summer St. Mr. Muri could not find any damage to a stone wall but will try to find out more from the resident who made the complaint.

Mr. Cooper motioned to draft a letter to the applicant to appear before the Planning Board on April 1, 2015 to discuss the placement of utility poles potentially not being in agreement with the approved layout, as well as the number of poles and possible damage to a stone wall. Mr. Bertozzi seconded the motion. Motion passed.

Form A

**Public Hearings**

Moonlight Estates – 14 Tremont St. – 15-01C – Mr. Rob Davis from Insite Engineering was present on behalf of the applicant. Mr. Davis began by stating this is an 8 acre parcel on the Moonlight Inn property. They are proposing 4 single family house lots with a 600' roadway. Access is behind the Moonlight Inn. An RDA plan was filed and approved by the Conservation Commission. They determined there were no protected wetland resources on the property. A prior

Form B plan was filed and approved last fall. They proposed a 60,000s.f. lot and a retreat lot. Abutters were asked if they would sell an additional strip of land and Mr. Davis asked the Zoning Board for a variance to construct on slightly less than 8 acres. Both the abutters and ZBA said no. They are now proposing a subdivision. Lots 1 and 4 have a restriction of 100' x 150' building rectangle in the rear of the lots. There will be low impact drainage and a super elevated roadway similar to The Preserve and designed for a 100 year storm.

Mr. Brooks motioned to appoint Fuss & O'Neill for the peer review. Mr. Ennis seconded the motion. Motion passed.

Sandra Anderson, 14 Tremont St. asked to be heard by the Board. She is concerned about drainage up against her property line. She is doing sustainable farming and wonders if the basin will overflow. Mr. Davis explained that any runoff will generally flow to the north.

Raymond Courier, 32 Tremont St. had concerns with line of sight issues and feels a traffic study should be conducted with regard to school bus safety. Mr. Davis clarified the curb radius shown on sheet 7. There is 390' going west and 390' to the east. Trees may be removed within the layout for sight distance. The speed limit is 35mph however traffic goes approximately 50mph. Mr. Muri stated a formal traffic study has not been done. Fuss & O'Neill will be asked for their input regarding traffic as part of the peer review and if the intersection presents a safety hazard. He would like to hear what Fuss & O'Neill has to say first. Mr. Muri assured Mr. Currier that public safety is a high priority. Mr. Bertozzi then asked Mr. Davis to explain to the audience how the line of sight distance is calculated, which he did. Mr. Jesse Winters, 4 Tremont St. then asked to be heard by the Planning Board. He owns a 14 acre farm with cattle, chickens, pigs etc. He has an electric barbed wire fenced in feed lot and hayfield less than 100' from the property line. He stated Rehoboth is a Right to Farm community and having a house lot that close will cause problems now and in the future. He has pasture raised laying hens that are moved every morning at dawn by tractor and will be approximately 100' away from the bedrooms of sleeping residents. Mr. Muri assured Mr. Winters that he has every right to continue farming his property as he normally would.

Mr. Bertozzi suggested inviting Skip Vadnais to the next meeting and ask him to speak to the farmers who abut the property and clear up any misconceptions. Another audience member who did not give his name spoke of the concerns of the Skyla Way road going in directly across from his driveway and that it seems that there is too little land for 4 house lots. Mr. Davis explained that they are 5,200 s.f. short of the retreat lot and that he asked for a variance from Zoning and was denied. A veterinarian has offered to purchase the land. Mr. Muri stated if an abutter steps up and sells 5,200 s.f. it may possibly resolve the problem. Ryan Duvally of Heritage Realty stated that the town would need to authorize the sale of town land then it would need to go to public bid.

Anyone could buy the property not just the Franczyk's. The prospect is too risky. Mr. Muri then asked Mr. Davis about the fire tank issue. Mr. Davis stated he made a request for the hose option instead of tanks and that he has already received a letter from the chief agreeing to the hose option.

Mr. Davis also confirmed utilities will be buried. Mr. Muri asked about waivers. Waiver requests were submitted with application. Mr. Muri read through the waiver request and stated they are typically granted.

Mr. Bertozzi motioned to request Skip Vadnais appear at the next meeting and speak to abutters regarding farming. Mr. Cooper seconded the motion. Motion passed.

Mr. Ennis motioned to grant the requested waivers. Mr. Cooper seconded the motion. Motion passed.

Mr. Cooper motioned to grant Ms. Bradley authority to approve the engineering proposal. Mr. Bertozzi seconded the motion. Motion passed.

Palmer River Dev. Co. LLC – 231 Perryville Rd. – 14-01C & 14-01GWSP – This matter is continued until the meeting of April 1, 2015

#### Old Business

Bliss Solar Farm – Tremont St. – Landscaping and Fencing – discussion – They have received a letter and planting plan to begin later in the spring but gave no timeline. Follow up with finish date of 6/15/15. Request Arbor Vitae/deer resistant or something else for similar screening.

Fee Schedule - Mr. Muri requested a public hearing to change the fee schedule. This will be on the April 15, 2015 agenda.

Kennel Bylaw - The kennel bylaw will also be advertised for a public hearing on April 15, 2015.

Winthrop Street - Draft a letter to Tom Nerney regarding Winthrop St. truck containers. Mr. Ennis motioned to draft letter to Tom Nerney regarding the truck container issue. Mr. Brooks seconded the motion. Motion passed.

#### Minutes

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|--------------------|-----------------------|-----------------------|
| 1. April 28, 2014  | 6. September 3, 2014  | 11. December 3, 2014  |
| 2. May 21, 2014    | 7. September 17, 2014 | 12. December 17, 2014 |
| 3. June 18, 2014   | 8. October 1, 2014    | 13. January 7, 2015   |
| 4. August 6, 2014  | 9. November 5, 2014   | 14. January 14, 2015  |
| 5. August 20, 2014 | 10. November 19, 2014 | 15. February 18, 2015 |

Mr. Muri requested approving minutes at the next meeting of April 1, 2015

#### Invoices

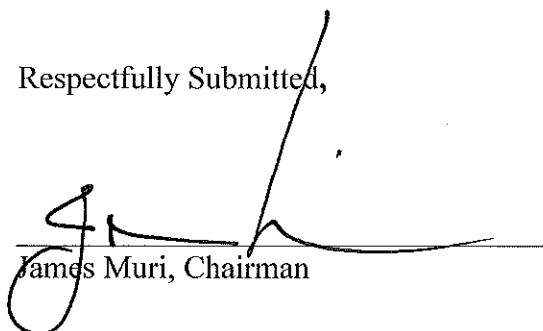
1. Fuss & O'Neill – Perryville Farm - \$552.00
2. Fuss & O'Neill – ATS Equipment - \$1,286.32

Mr. Cooper motioned to approve payment of the above invoices. Mr. Bertozzi seconded the motion. Motion passed.

#### Adjournment

Mr. Brooks motioned to adjourn at 7:16 p.m. Mr. Cooper seconded the motion. Motion passed.

Respectfully Submitted,

  
James Muri, Chairman