

PLANNING BOARD  
148 Peck Street  
Rehoboth, MA 02769  
(508) 252-6891 Telephone  
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James Muri, Chairman  
Edward Bertozzi, Vice Chair  
Robert Moitozo  
Tomas Ennis  
Christopher Cooper  
Stephen Brooks, Jr.  
John Scanlon

**Meeting Minutes  
December 16, 2015  
Town Offices  
148 Peck Street  
Rehoboth, MA 02769  
7:00 PM**

RECEIVED  
17 MAR 16 AM 9:27  
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. John DuVally – (Tripp Property) – 56 County St. – 15-26A – Mr. Rob Davis from Insite Engineering was present on behalf of the applicant. He is proposing splitting off a portion of the property on 56 County St. Mr. Ennis noticed a discrepancy in the lot summary information on the plan. Mr. Davis agreed to revise the plan. Mr. Moitozo noted the dimension of Lot 5 is 199.99' and needs to be reconfigured to 200'. Lot 6 will be accessed through the 50' frontage to the retreat lot. The adjacent Form A lot will be accessed through the same driveway. Ms. Bradley noted the deadline for this Form A is December 31<sup>st</sup>. Mr. Davis will withdraw the Form A without prejudice as suggested by Mr. Muri and subsequently not charge a fee on a resubmitted the plan. Mr. Davis agreed.

Mr. Ennis motioned to accept the request made by Mr. Rob Davis to withdraw the Form A for 56 County St. without prejudice and resubmit the Form A without a fee.

Mr. Cooper seconded the motion. Motion passed.

2. Jeffrey H. Fisk et al – 589,593,597,599 & 601 Tremont St. and Two Rod Way – 15-27A –

Mr. Otis Dyer was present on behalf of the applicant. He began by stating the Fiske family owns over 43 acres and have been building and buying lots for 40 years. None of the existing lot lines make sense. They have started over with new lot lines. On Lot 1 the driveway goes through a triangle. Lot 1 as shown will include parcel C in the back and also parcel B where the driveway is, but that can change to be Lot 2. That lot will get the non-buildable parcel. There was a problem with the garage on Lot 3, but that has been corrected. Lot 4 is a new created lot with 200' frontage. Parcel B will be a non-buildable lot with 200' frontage. Parcel E goes out to Two Rod Way and is wetland and therefore non-buildable.

There was some confusion amongst the board members regarding some lot lines which Mr. Dyer cleared up during their discussion.

Mr. Cooper motioned to endorse the Form A.

Mr. Moitozo seconded the motion. Motion passed.

## Public Hearings

### New Business

1. Blue Wave Solar – Landfill – Special Condition #5 discussion - The applicant was not present. Ms. Bradley stated the investor had a question with Special Condition #5. The project is changing hands. The permit is only valid for the current applicant. If the project changes hands they will have to come before the Planning Board. Mr. Brooks made mention that the town owns the property and that perhaps this is more of a Board of Selectmen issue rather than a Planning Board issue. Mr. Muri noted the current Site Plan Approval clearly states approval is granted for construction/operation and shall expire upon change of ownership or change of use of the property. Mr. Muri stated the new owner will have to present an As-Built Plan to the Planning Board and apply for a new Site Plan Approval. They may consider a reduction of fees. Mr. Muri suggested sending the documentation to the Board of Selectmen stating the Planning Board will entertain a new Site Plan Approval due to a change of ownership.

Mr. Scanlon motioned to inform the Board of Selectmen of the change of ownership for the Landfill Solar project as discussed above.

Mr. Cooper seconded the motion. Motion passed.

2. SRPEDD Technical Assistance Grant discussion – Ms. Bradley stated that every year they send out an application for the Grant. She sent Mr. Muri an email regarding this and a permitting guide. She sent an email to SRPEDD but has not heard anything yet. She wants to get the application in soon. Mr. Muri suggested initiating the paperwork to pursue the grant.

Mr. Brooks motioned to have Ms. Bradley initiate the necessary paperwork to pursue the grant.

Mr. Moitozo seconded the motion. Motion passed.

### Old Business

1. Sun Edison – 280 Summer St. – Landscaping plan update – Mr. Muri asked Ms. Bradley for an update. She informed him she is still going back and forth with Town Counsel regarding how to proceed going forward. She has heard nothing from SunEdison. Ms. Bradley went to the site and stated that although the plantings are very small they seem to be doing well. The area has been mowed as well. It looks better. They have not replaced the gate yet.

2. Moonlight Estates – close escrow account - \$1,397.75 – Ms. Bradley received documentation dismissing the law suit. The board has a copy. Mr. Muri recommended remanding the escrow account for \$1,397.75 back to the applicant.

Mr. Scanlon motioned to remand \$1,397.75 for engineering escrow back to the applicant

Mr. Cooper seconded the motion. Motion passed.

### Minutes

Mr. Muri had not had a chance to read the minutes. He asked that the minutes be tabled to the next meeting in January

Invoices

1. W.B. Mason – office supplies - \$48.11

Mr. Ennis motioned to submit payment.

Mr. Scanlon seconded the motion. Motion passed.

2. Gardner & Gerrish – SunEdison Landscape Plan - \$2,562.84

Mr. Scanlon motioned to submit payment.

Mr. Moitozo seconded the motion. Motion passed.

\*Muri Muri discussed the Access Northeast compressor station. He was not sure what the zoning regulations require. He asked Ms. Bradley to ask Town Counsel if the Planning Board has the right to treat this project as a commercial venture. Mr. Ennis considers it an industrial facility. Mr. Muri stated it would be in a residential area.

Mr. Cooper motioned to consult Town Counsel regarding jurisdiction of the Planning Board on the project.

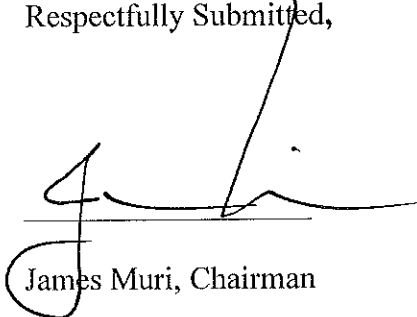
Mr. Moitozo seconded the motion. Motion passed.

Adjournment

Mr. Scanlon motioned to adjourn at 7:40 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