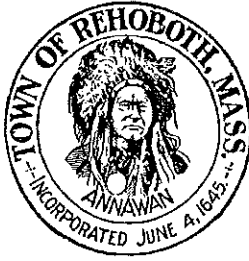


PLANNING BOARD
148 Peck Street
Rehoboth, MA 02769
(508) 252-6891 Telephone
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Christopher Cooper, Chairman
Robert Moitozo, Vice Chair
Edward Bertozzi
Tomas Ennis
William Costa
Michael Costa
Michael Costello
Leeann Bradley – Town Planner

**Meeting Minutes
June 7, 2017
Town Offices
148 Peck Street
Rehoboth, MA 02769
7:00 PM**

RECEIVED
17 SEP - 7 AM 9:17
OFFICE OF THE TOWN CLERK
REHOBOTH, MA

Present: Christopher Cooper, Edward Bertozzi, Tomas Ennis, William Costa, Michael Costa, Michael Costello

Town Planner – Leeann Bradley

Absent: Robert Moitozo

Mr. Cooper began the meeting with the Pledge at 7:05p.m.

Form A

1. Matthew Mega – 3 Primrose Lane – 17-05A - Mr. Rob Davis from Insite Engineering Services was present on behalf of the applicant, Matthew Mega. Mr. Jim Santos from Insite was also present. He did the survey and prepared the plan. He is proposing separating Parcel B from Lot 7 and attaching it to Lot 6 in the back to allow for a larger back yard for Mr. Mega. No new building lots are being created. Mr. Bertozzi asked if Mr. Davis was really going to install the iron rods. He assured him he was.

Mr. Bertozzi motioned to endorse the Form A.

Mr. William Costa seconded the motion. Motion passed.

Public Hearings

1. Definitive Subdivision – Reposa Estates – off 237 Pine Street – 17-01C – Mr. Rob Davis from Insite Engineering was present on behalf of the applicant. He submitted revised plans dated 6/7/17 based on today's memo from Fuss and O'Neill. The revised plans have not been provided to Fuss and O'Neill yet. Revisions made to the plans include eliminating the boulevard entrance from Pine Street. A standard intersection has been provided. They minimized the sheet flow across the pavement by adjusting grades and adding two drop inlets with culverts under the roadway pavement. They proposed tree plantings and limits of clearing have been detailed. The existing stone wall has been preserved. Profile grades at the intersection of Ryan's Way were adjusted to 3%. Additional spot grades were added to facilitate construction. A 20' diameter raised landscape paver island with a compass rose inlay has been provided at the center of the cul-de-sac in lieu of a planted landscape island. The straw wattle line was extended up gradient of the storm water BMP's. This is shown on sheet 10 as well as adjusting the limit of tree cutting in areas that were

noted by the Conservation Commission at their hearing last night. Inlet protection of catch basins, drop inlets and paved waterways have been detailed to eliminate silt from entering the drainage system. Mr. Davis stated they met last night with the Conservation Commission for the corresponding Notice of Intent hearing for the sub-division. Aside from adjustment for erosion control no major concerns were noted. He welcomed questions from the Planning Board. Mr. Costello asked Mr. Davis if there was a raised berm in the cul-de-sac and he confirmed there was. Mr. Costello checked with neighboring towns regarding super elevated roads (roads that are pitched one way on one side) and snow/rain issues. He noted the other towns have not had any problems. He added that super elevated roads are easier to maintain and reduces the number of catch basins. They also create a better drainage designs and provide cleaner water going back into the wetlands. Mr. Davis stated they have done dozens of these types of roads and it has become the standard for roads in this area. Towns love them because there is no maintenance. Mr. Costello noted a concern from a neighbor at the last meeting regarding the tree line by the stone wall. Mr. Davis stated they revised the plans to preserve the existing stonewall and showed the limit of the tree cutting. The canopy will extend beyond the stone wall where allowable. It also shows the proposed tree plantings on alternating sides of the road. Mr. Costello had no other questions. Mr. Cooper stated there were a number of waivers to be granted pending motions from the board. Mr. Costello motioned to grant waivers for the fire tanks and the use of berms as well as elimination of sidewalks and street lights.

Mr. Ennis seconded the motion. Motion passed.

A letter from the Chief Barresi has been received regarding the fire tanks. Mr. Cooper noted they would wait for final response and approval from Fuss and O'Neill and the Planning Board will be ready to vote at the next meeting on June 21, 2017. Mr. Davis asked if the board would be amenable to having the paperwork for the covenant ready for the next meeting. Ms. Bradley found that acceptable. Mr. Davis had one last item to discuss regarding the name of the sub-division. It was Reposa Estates however Mr. DuVally is requesting a different sub-division name and new roadway names. The new sub-division name would be Eastwood Estates. The new road names will be Skyla Way and Kaylee Drive. There was no further discussion.

2. Celray LLC - 496 Winthrop Street – Fournier – 17-01GWSP, 17-02SPA -

Mr. Bertozzi motioned to open the public hearing.

Mr. William Costa seconded the motion. Roll call vote. All aye. Motion passed.

Neither the applicant nor the representative was present at the meeting. This matter will be tabled to the next meeting on June 21, 2017.

New Business

1. SunConnect – 297 Winthrop St. – Request for extension – 15-92SOLAR and 15-04GWSP

Mr. Bill Lyon from SunConnect who runs the development side of the company as well as Mr. Sam Lyon from Cypress Creek who is the new owner of the project were both present. Mr. Bill Lyon gave a brief overview regarding why he is requesting an extension. He noted the original permits had a one year time frame which expired in April of 2017. Due to changing solar regulations in Massachusetts they could not take the risk and start construction until they had a clear path to the regulation changes. All of that is in place now. They have a new partner on board who is financing the project. They are ready to proceed. Ms. Bradley reminded Mr. Bill Lyon before they receive a building permit they have to present Surety and The Decommissioning Agreement which will need to be presented and voted on by the Planning Board. Mr. Bill Lyon understood. They intend to honor all of the previous commitments that were made. They will also be at the next meeting of the Board of Selectmen. Mr. Bertozzi stated he found the different name changes confusing. Mr. Bill Lyon clarified by stating SunConnectMA12, LLC is the current owner

of the lease, property rights, etc... The LLC was formed in Delaware. He acknowledged some clerical errors along the way which accounted for the mix up of names. Mr. Bertozzi clarified by asking if the correct name going forward is SunConnectMA12, LLC of Delaware? Mr. Bill Lyon confirmed that as correct. He added that the rights are being sold to Cypress Creek Renewables. Mr. Bertozzi also asked who would fund the 2 escrow accounts. Mr. Bill Lyon stated Cypress Creek Renewables will fund the escrow accounts. Mr. Bertozzi wants it to be clear what company they are dealing with. Mr. Costello asked if they have established a Pilot Program with the Assessor's office. Mr. Bill Lyon stated there is a Pilot Agreement that is not fully executed and they plan on talking to the group at the Selectmen's Meeting about that as well as a 61A letter. Mr. Costello motioned to issue an extension to the Site Plan Approval to December 31, 2017. Mr. Ennis seconded the motion. Motion passed.

2. Tracy Manzella – CARCS – bylaw language – discussion – Ms. Tracy Manzella and Mr. Brian Hatch were present. Mr. Hatch began by stating they were before the board previously and had a healthy discussion about how bylaws might affect the project and what good they might do. They are before the board tonight with proposed new bylaw language for natural gas compressor stations and power plants. Mr. Hatch researched language for proposed bylaw changes all over the country, especially Pennsylvania and Texas. He looked at the Rehoboth bylaws to see what section should have regulations/restrictions to ensure the safety of citizens. He is proposing section 4.1, article 4.1.1. He felt this was a good section to include since there are already two sections of the bylaw in relation to wind energy and solar energy. He felt it would be appropriate to include gas compressors. Mr. Hatch wants to make sure the board is aware of all the issues in a comprehensive way and how other towns have dealt with them. He feels Rehoboth is in a good position at this point because the infrastructure is being built or is near completion and approval in many towns and Rehoboth has a chance to be in the forefront. They can submit bylaws they've prepared to the Federal Energy and Regulatory Commission (FERC) as an opinion to them of how it would impact the town and what kinds of restrictions they feel a company would have to obey. They would see what Rehoboth is trying to do to make sure it's a safe operation. Mr. Hatch feels it's important for the board and the town to take a look at these proposals before they make a negative impact on the town. He then welcomed input from the Planning Board. Mr. Bertozzi thanked Mr. Hatch for all his work and had a questions regarding noise. Section 5.0.1 is unclear as to when or how long the exceeding noise takes place. Ms. Manzella noted that electric fired compressors are quieter. They are more expensive for companies; however a lot of communities request it. Ms. Manzella asked if the board could request that in the bylaw. Mr. Bertozzi stated they do not have expertise in that area. She understands that FERC regulates the project. She just wants to make it clear that this is what they would like to have. Mr. Hatch feels this is a good opportunity to present to FERC that Rehoboth has enacted these bylaws not as a stumbling block to them but as a way to ensure the health and safety of the citizens. Mr. Ennis noted the next step is to go to the Board of Selectmen to have it added to the warrant. Mr. Bertozzi feels town counsel needs to look at it. Ms. Bradley stated town counsel looks at the entire warrant. Mr. Cooper stated it's a bylaw change but at this point it's not bylaw changed proposed by the Planning Board. Ms. Manzella had one last concern regarding metering stations in Rehoboth. She stated the people who live nearby have a lot of complaints about it. She feels this is a good opportunity to say something about it. She would like to add to the title of section 4.1.1 to include Metering Stations. The board did not object to that. Mr. Cooper noted section 5.0.1 he suggested revised language that suggests mowing your lawn or doing something that is not compressor station related could easily be over 55 decibels. He feels the language should be tied to the actual operation of what is going on on-site and not cutting down trees or anything else. Ms. Manzella stated she would revise that. Mr. Cooper also questioned section 5.0.5. He is not sure what a typical engineering study costs for sound monitoring but he is

guessing it's more than \$5,000.00. He suggested language to state they maintain a minimum balance of \$5,000.00. Mr. Costello stated they could add the owner is required to pay all fees incurred by the town of Rehoboth for any testing. Mr. Cooper's last question was regarding first responders. He is not sure what CARC's expectation is if a gas leak occurs. Is training required for local fire and police if a gas leak were to occur? Do first responders contact the EPA? Mr. Ennis feels local first responders would contact EPA and DEP. Mr. Ennis had a comment on section 5.0.3 with regard to noise monitoring. He suggested changing the language from 1000 yards from the compressor station property to the property line of the compressor station property. If a noise study is being conducted it should be at the property line. Ms. Manzella asked the board if they would be willing to add language requesting electric fired compressors as a preference over the gas fired compressors. Mr. Cooper stated this is a question for town counsel. Ms. Manzella questioned section 12.0 regarding construction work hours. She does not know what they are for Rehoboth. Mr. Costello stated start time is 7:00am. Ms. Manzella will make a revision from 6:00am to 7:00am. Mr. Cooper asked for comments from the audience. There were none. Ms. Manzella will make the revisions and submit it to the Board of Selectmen. The selectmen can then put it on the warrant for town meeting. There were no further comments.

Old Business

1. Sign Bylaw -- Workshop with RBA -- RBA members Tim Johnson, John Jordan and George Cardono came before the Planning Board for the workshop. Mr. Johnson began by stating they went through the sign bylaw with their concerns. There were many. He feels the best approach is to perhaps create a Sign Bylaw Sub-Committee to alleviate the time of the Planning Board. This would give a cross section of people with concerns. Mr. Costello felt this was a good idea. They can have their own meetings and once they have a finished bylaw they can then present it to the Planning Board. A few members of the Planning Board should be on the sub-committee. A Zoning Board member should also be part of the sub-committee. Mr. Bertozzi has read their comments and thinks they are good. They are not that far apart. He feels the Planning Board should choose the people who are really interested in getting this done.

Mr. Costello motioned to create a sub-committee for the Sign Bylaw.

Mr. Ennis seconded the motion. Motion passed.

Mr. Bertozzi asked for discussion. He asked how many members from each group should be part of the committee.

It was agreed that 3 members from the RBA and Planning Board will be part of the sub-committee. A member from the Zoning Board of Appeals or the Building Inspector should also be part of the sub-committee.

Mr. Mike Sozares from Countryside Signs in Seekonk also a Rehoboth resident suggested a sign professional be part of the sub-committee. He is willing to act as an advisor/consultant if needed but not a member of the sub-committee. Mr. Bertozzi stated that would be extremely helpful.

Mr. Costello repeated his motion above. Mr. Ennis again seconded the motion. Motion passed.

Mr. Ennis recommended having the RBA members who are on the sub-committee attend the next Planning Board meeting and determine if the Zoning Officer/Building Inspector will be part of the sub-committee.

Mr. Bertozzi motioned to appoint Chris Cooper to the Sign Bylaw Sub-Committee.

Mr. Ennis seconded the motion. Motion passed.

Mr. Ennis motioned to appoint Ed Bertozzi to the Sign bylaw Sub-Committee.

Mr. William Costa seconded the motion. Motion passed.

Mr. Ennis motioned to appoint Mr. Michael Costa to the Sign Bylaw Sub-Committee.

Mr. Bertozzi seconded the motion. Motion passed.

2. Hydrogeological Assessment Regulations – update – This will be tabled to the next meeting on June 21, 2017.

3. Chapter 61A – 47 Spring St. – Right of First Refusal – Ms. Bradley stated she sent to the board a copy of MGL which states in order to have an appraisal done it has to be done by the town because it is not changing hands. It is only coming out of Chapter 61A.

Mr. Costello motioned to exercise their right of first refusal.

Mr. Michael Costa seconded the motion. Motion passed.

Minutes

Invoices

1. W.B. Mason – office supplies - \$7.78 – Mr. Ennis motioned to submit payment to W.B. Mason. Mr. William Costa seconded the motion. Motion passed.

Adjournment

Mr. Costello motioned to adjourn and go into Executive Session under MGL Chapter 39, Sec. 23B(3) to discuss Town Planner contract negotiations/personnel matters and reconvene for the purpose of adjournment only at 8:32p.m.

Mr. William Costa seconded the motion. Motion passed. Roll call vote. All aye.

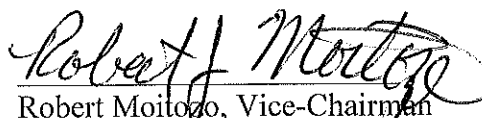
The Planning Board reconvened for the purpose of adjournment.

Mr. Costello motioned to adjourn at 8:43pm.

Mr. William Costa seconded the motion. Motion passed.

Respectfully Submitted,


Christopher Cooper, Chairman


Robert Moitogo, Vice-Chairman