

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



Christopher Cooper, Chairman
Robert Moitozo, Vice Chair
Edward Bertozzi
Tomas Ennis
William Costa Sr.
Jake Kramer
Tish Vadnais
Leeann Bradley – Town Planner

**Meeting Minutes
April 4, 2018
Town Offices
148 Peck Street
Rehoboth, MA 02769
7:00 PM**

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OFFICE OF THE TOWN CLERK
REHOBOTH, MA

Present: Christopher Cooper, Robert Moitozo, Edward Bertozzi, Tomas Ennis, William Costa Sr., Jake Kramer, Tish Vadnais & Town Planner – Leeann Bradley

Mr. Cooper began the meeting with the Pledge at 7:02p.m.

Form A

1. Ryan DuVally – 48-50 Colonial Way – 18-05A

Mr. Rob Davis from In Site engineering was present on behalf of the applicant.

Mr. Davis spoke in regards to the application. The application was to separate lots for existing duplexes on Colonial Way. On February 2, 2018, he appeared before the Zoning Board of Appeals for a special permit and variance for frontage of 168 feet. The plan will go to land court in Boston to be recorded, then another plan will be signed to record in duplicate in Taunton Registry of Deeds.

Chairman Cooper stated that the applicant has done everything that was requested.

Mr. Costa Sr. made a motion to endorse the plans; the motion was seconded by Mr. Kramer.

Motion passes unanimously.

New Business

1. Reorganization of the Planning Board

Mr. Ennis nominated Mr. Cooper, seconded by Mr. Costa Sr. – motion passes.

Mr. Bertozzi nominated Mr. Moitozo for Vice Chair, seconded by Mr. Ennis – motion passes.

Ms. Vadnais nominated Mr. Ennis for Clerk, seconded by Mr. Moitozo – motion passes.

Mr. Ennis nominated Mr. Costa Sr for SERPID., seconded by Mr. Bertozzi – motion passes.

Mr. Ennis Nominated Ms. Vadnais for Gravel Comm. seconded by Mr. Moitozo – motion passes.

Mr. Moitozo nominated Mr. Ennis for Stormwater Comm., seconded by Mr. Bertozzi-motion passes.

Mr. Ennis nominated Mr. Bertozzi for CPC, seconded by Mr. Moitozo – motion passes.

Mr. Costa Sr. nominated Ms. Vadnais for Ag & natural Res Comm. – seconded by Mr. Ennis – motion passes.

Ms. Vadnais nominated Mr. Kramer for Green Energy Comm., seconded by Mr. Moitozo – motion passes.

Public Hearings

1. Plain Street/Manwhague Plains – DuVally – 18-001B

Mr. Robert Davis of InSite Engineering was present on behalf of the applicant.

Mr. Davis stated that this is a 21-acre parcel. The property will be divided into 8 single family lots, 1,200-foot roadway, wooded, with one access from Plain Street. There is no road within 100 feet of the buffer zone or GWSD. The drainage is proposed off of a 50-year storm. All perc test have been performed and were successful.

Mr. Moitozo asked Mr. Davis about the entrance on the north side. It has 150 foot wide grade. What is on the 32-foot south side?

Mr. Davis stated that it was extra area.

Mr. Moitozo stated to move the road 6.25 feet to the south. There needs to be a buffer from the road, so it doesn't abut the parcel lot line. Curve the road at 3+00 at the Plain Street end. He also stated that a cross section between Plain Street and section 300 1 or 2 to see grading when the road is done. There was a question in regards to the Name on the Deed being different that the applicant's.

Mr. Davis replied that the applicant had just closed on and recorded the property by Mr. DuVally.

Mr. Moitozo moved to approve the preliminary plans as noted, seconded by Mr. Kramer – motion passes

2. 469 Winthrop Street – Antunes – 18-01SPA, 18-01 GWSP

Mr. Jeff Tallman of Sitec Engineering was present on behalf of the applicant.

Mr. Tallman stated that the property use to be an amusement center with 4500 sq. ft. access building. Lot is 2 and ½ acres. In 2007 the property was split into two parcels. The applicant wants to redevelop the site for contractor six contractor condos. There would be 6 bays in the main building with approximately 1200-1500 sq. feet of storage. There would also be an access building with 3 bays used for additional storage space. There is no plumbing in the access building, will be for storage only. There will be 27 parking spaces with 2 additional spaces in front of each bay if needed. There is 30,000 feet of pavement existing on the property now. This pavement will be removed. All work is proposed outside of the 100 - foot Buffer Zone, so there will be no need to file with the Conservation Commission. The catch basin calculations are based on 100-year storm. There are downspouts, no roof drains. Floor drains are proposed. All floor drain material will drain to a holding tank with a manhole. The holding tank has an alarm that sound when the tank is ¾ of the way full.

The board stated that they would like to see more curb appeal added to the design. An example given was Bay State Trucking.

Mr. Tallman also stated that there is no sign proposed at this time. There is some lighting has been proposed on the building.

The board felt that the landscaping proposed needs higher plants in front of the access building.

The town consultant needs to look at the plans and calculations. The town consultant will be Fuss & O Neil

Mr. Costa Sr. move to send the plans and calculations out to the town consultant, seconded by Mr. Ennis – motion passes.

Mr. John Carr of 474 Winthrop Street was present.

Mr. Carr had concerns in regards to the hours of operations, parking lot lighting, if there would be retail at the proposed buildings, as well as well water concerns.

Mr. Mike Costello the Highway Superintendent was present.

Mr. Costello stated that the application would need to be approved by the Mass DOT for drainage on to Route 44 and for the curb cut.

Mr. Tallman stated that the applicant will file with Mass. DOT.

Ms. Bradley stated that the applicant will need to hang BVW flags and show 200 ft of the mean annual high-water line.

Mr. Tallman stated a few flags would be hung to show an accurate buffer zone.

Mr. Bertozzi stated that a 30-foot green strip is required.

Mr. Moitozo stated a 4-foot minimum tree for the street frontage.

Mr. Tallman stated he can enhance what is there.

Mr. Tallman requested to continue the public hearing until April 18, 2018.

Old Business

Eastwood Estates – northern slope repair – update

Mr. Costello the Highway Superintendent was present.

Mr. Costello stated he had done a site visit with the abutter to the property. The applicant has successfully addressed all the abutters concerns as follows:

- The slope from the station 1+75 back gets steep. Applicant will bring out to a cape cod berm. This will not hinder snow plowing.
- 2 trees on the abutter's property, when excavation started the 2 trees started to deteriorate. Abutter asked for a tree wall.

Mr. Moitozo asked where the tree wall would be located.

Mr. Costello stated that it would be placed in the straight away. Then continued with the list.

- The main concern is erosion on the slope.
- The retention area is going to be cleaned out because of silt build up.

Mr. Costello stated that he does visit the site unannounced to inspect.

Mr. Cooper stated that the list addresses the concerns.

Mr. Costello stated that there were trees proposed to be planted on the slope. He suggested they be moved elsewhere.

Mr. Moitozo stated that's a good idea.

Mr. Costello stated that he suggests the applicant coordinate with the tree warden for the best planting scheme. This has been done in the past.

Invoices

1. Fuss & O'Neill – Eastwood Estates - \$1494.25

2. Fuss & O'Neil – The preserve - \$144.90

Mr. Ennis moved to pay the above invoices.

Mr. Costa seconded the motion. Motion passes.

Old Business

1. Zoning Bylaw Recodification – Update

Mr. Cooper stated that this had been attempted in 2014 but failed on the town floor during the town meeting. The main objector was Mike O'Hern the zoning officer at the time. We have discussed the change at length with him and have addressed the concerns. The changes do not change the bylaws it just makes them easier to follow.

Mr. Ennis questioned the process.

Mr. Cooper explained the reason for the process.

Ms. Bradley stated that on page 7 "civil administrative and general office", there was a definition asked for. Other bylaws don't have one. She questioned if it needed one.

Mr. Moitozo stated that that "civil administration" was ambiguous. It could be called municipal/town administration.

Ms. Bradley stated that the language will change to read "town administration."

Ms. Bradley stated that on page 8 states "personal service establishment"

Mr. Bertozzi asked if that was part of the old bylaws. The wording seems too broad.
Mr. Cooper read the definition from the proposed bylaw.
Ms. Bradley stated she would add the language to the definition section as well.
Mr. Bertozzi stated that the new list should include anything new in town.
Mr. Cooper stated to get rid of "not limited too" if it was to be listed.
Mr. Ennis stated to have a list under each category.
Mr. Bertozzi stated he would add them to the grid. He will work with Ms. Bradley on the bylaws.
Ms. Bradley stated that she had incorporated all changes from 2014 to the present. The recreation marijuana bylaw will take place of the temporary moratorium.
Mr. Cooper asked if the marijuana bylaw has to go first at town meeting.
Ms. Bradley stated that decision would be up to town counsel.
Mr. Cooper asked about page 323, why is it changed from planning to the Zoning Board of Appeals.
Ms. Bradley stated because it is considered a use and uses go to the Zoning Board of Appeals.
Mr. Bertozzi stated that the Zoning Board of Appeals cannot give a variance on a use.
Ms. Bradley stated that if the compressor station language is approved by the Attorney General before the next meeting, the language will be added. As of today, it has not been approved.
Mr. Bertozzi stated that the groundwater protection district map is being upgraded and changed. Asked who is allowed to amend the map. He requested to speak to town counsel in regards to this.
Ms. Vadnais moved to have Mr. Bertozzi contact town counsel for specification on who can change the groundwater protection map.
Mr. Kramer seconded the motion. Motion passes.

2. Recreational Marijuana Bylaw - Update

Mr. Cooper stated that the CCC should be defined in the document. Section 12. 22-500 feet of real property comprising of a resident.
Mr. Moitozo asked why it is being restricted it from being near a residence.
Mr. Cooper stated that the restriction is coming right from the state.
Ms. Bradley stated that the restriction language came from town counsel.
Mr. Moitozo stated that everything else should be left. Just take out number 1. Change number 4 to any facility. On page 1 12.15 refers to 6.1 and 6.2. Ours states 6.3.
Ms. Bradley asked if he was referring to the new bylaw or the old one.
Mr. Moitozo stated the old one in case the new one doesn't pass. 12.1 sale of business, can you sell it.
Mr. Cooper stated you can't sell the permit.
Mr. Moitozo stated that number 5, off site deliveries, should be removed.
Ms. Bradley stated that it was tabled. She will ask if it can be removed.
Mr. Moitozo stated that number 10, take out not required. It is either required or it's not. Number 12, energy use practices; there is no other business in town required to provide that information. It should be removed.
Ms. Bradley stated she would take it out.
Mr. Cooper stated that in section 11 4A-should state as defined in the GIC.
Mr. Moitozo asked that there is only one allowed in town, does that mean one of each listed.
Ms. Bradley stated that it meant just one.
Mr. Costa stated that another town had placed fees on their application.
Mr. Cooper stated that the bylaw does say that fees can be set later.
Ms. Bradley stated that fees would need to be added. Fees are established by the granting authority. She will make the changes discussed and send it back to town counsel.

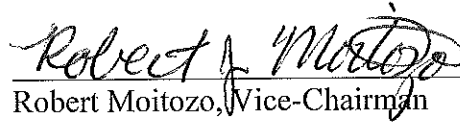
Adjournment

Ms. Vadnais motioned to adjourn at 9:50 PM

Mr. Moitozo seconded the motion. Motion passed.

Respectfully Submitted

Christopher Cooper, Chairman



Robert Moitozo, Vice-Chairman