

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 Krammer  
Tish Vadnais  
Andrew Poyant, Town Planner

**Meeting Minutes  
August 15, 2018  
Town Offices  
148 Peck Street  
Rehoboth, MA 02769  
7:00 PM**

Present: Christopher Cooper, Robert Moitozo, Edward Bertozzi, Tomas Ennis, William Costa Sr., Tish Vadnais, Jake Krammer, Town Planner Andrew Poyant

Absent:

Mr. Cooper began the meeting with the Pledge at 7:00p.m.

**Form A**

1. Cedar Street – Haig - 18-12A

Rachel Smith from Otis Dyers office on behalf of the applicant was present.

Ms. Smith presented the plans.

Ms. Vadnais moved to endorse the plans.

Mr. Krammer seconded the motion. Motion passes.

**Public Hearings**

1. 17 Skyla Way behind 48 Colonial Way – DuVally – 18-01C

Mr. Ennis moved to continue the public hearing until September 30, 2018.

Mr. Bertozzi seconded the motion. Motion passes.

**Invoices**

1. Bristol County Print Shop – Business card - \$28.50

2. Fuss & O’Neil – Idlewoods - \$551.71

3. Fuss & O’Neil – Atunes - \$283.50

4. Fuss & O’Neil – Eastwood Estates - \$1221.25

5. Fuss & O’Neil – Preserve - \$699.60

Mr. Moitozo moved to submit payment for the above invoices.

Mr. Costa seconded the motion. Motion passes.

REHOBOTH, MA  
OFFICE OF THE TOWN CLERK

18 OCT 18 AM 11:59

RECEIVED

## **New Business**

### 1. National Grid - Discussion

Joshua Lee Smith, Ann Malloy, and Deidra Matthews were present.

Mr. Lee provided a power point hand out (See attached).

Mr. Costa asked if the 13K lines are going to loop and attach to the new substation as backup.

Ms. Matthews stated they do loop, but not as backups.

Ms. Malloy stated that the new substation would be the main line.

Mr. Lee stated that he felt the best thing to do is have a proposed overlay district. The proposed district would only be confined to this type of facility. The applicant would also need a special permit, granted by the Planning Board, and a site plan review. As part of the amendment the National grid is asking that frontage would not apply. (See proposed amendment)

Mr. Bertozzi asked if there would be any engines as part of the proposed project.

Mr. Lee stated there would only be standard equipment.

Mr. Costa asked what kind of noise there would be.

Mr. Lee stated that there only noise would be from the transformers. The noise would not be noticed by the abutters.

Ms. Malloy stated that there is already a substation in town and there is no noise from it.

Mr. Moitozo stated that the substations proposed location is in the middle of the property.

Ms. Matthews stated that a noise study would be conducted.

Mr. Cooper stated that the amendment that is being proposed National Grid would have the right under the special permit to place additional electric installation on the land at a future date should you need it.

Mr. Lee stated that if new equipment needed to be installed a new Special Permit or modification to the existing Special Permit would be needed. National grid is looking to have the warrant article at fall town meeting for a vote. They are looking for the Planning Board to Petition the Board of Selectmen for the August 20<sup>th</sup> meeting.

Mr. Poyant stated that the bylaw amendment should be clearer. He felt that the overlay should be an "Electric District" instead for just a "Public Utility Overlay District". He felt this would prevent other utilities from coming to the board requesting to use the district also.

Mr. Lee stated that the language in the bylaw should be enough that other utilities would not be able to use this district.

Mr. Poyant stated that he felt that the name should still be different.

Ms. Vadnais agreed with Mr. Poyant.

Mr. Lee stated that he did not care what it was called if Town Counsel is ok with it.

Mr. Bertozzi asked if the facility would be using or store toxic materials on the site.

Mr. Lee replied no. There would only be mineral oil on site.

Mr. Costa stated that he agreed with Mr. Poyant regarding the name change as well.

Mr. Costello the Highway Superintendent/ Selectman was present.

Mr. Costello stated that in 2011 when all the storms happened he found out that the town electric came from other towns. With this project the town would have its own electric. The project would increase the chances of the town getting it power back sooner.

Mr. Bertozzi moved to submit the request to the Board of Selectmen to have the proposed bylaw place on their agenda with the change of "Public Electric overlay".

Mr. Ennis seconded the motion. Motion passes.

Mr. Lee stated that flyers have been sent out to abutters, and there will be an open house for the public to come and ask any question they may have.

The Board agreed to have the public hearing on September 19<sup>th</sup>.

## **Public Hearings**

### 1. 117 County Street – MIH1/Farland Corp. – 18-01 Solar, 18-02 GWSP, 18-02SPA

Mr. Costa recused himself from the remainder of the meeting.

Mr. Ennis moved to open the public hearing.

Mr. Krammer seconded the motion. The public hearing was opened by a roll call vote. All board members voted "I".

Mr. Mathew White from Farland Corp. was present.

Mr. White presented the plans.

Mr. White stated that there is a revision on his plan to change the gravel road to just an access road.

Mr. Copper asked what waivers the applicant was still looking for.

Mr. White responded that the applicant was still looking for a waiver for the underground utilities because of cost.

Mr. Cooper stated that visualization is what the solar farm looks like from the abutters' property.

Ms. Vadnais stated that at the last meeting the board requested that someone to go out to the property and mark the areas, with bright flags, where the solar panels will be located. So, when you are looking from the abutters land will you be able to see the flags.

Mr. White stated that that requested had not been done yet.

Mr. Cooper stated that the landscape plan is very specifically added to the solar bylaws as well as visualization. This bylaw is so that the solar farm is screened from abutters, streets, and exedra.

The Planning Board has a right to hire an agricultural landscape architect to go out to the site and let the board know what you are proposing will accurately screen the areas I have mentioned.

Mr. Bertozzi stated that if you read the screening part of the bylaw, you are not entitled to use trees on other people's property as screening for your project.

Mr. White asked about the flag method. If abutters couldn't see, would it still be required. The limit of clearing is 20-30 feet before the property line.

Mr. Bertozzi stated that the solar farm is to not be visible!

Mr. White replied that the applicant is trying to do that.

Mr. Bertozzi stated you are not even close to proving your case. You need to comply with the bylaw.

Ms. Vadnais spoke regarding the arborvitaes being proposed. She felt the applicant should discuss the use of trees and their types with the abutters.

Mr. Poyant asked how far the current tree line is to the solar panels.

Mr. White replied 20-30 feet.

Mr. Poyant asked if there are any shadow studies to show what you are not going to clear trees in the future.

Ms. Vadnais asked how you get the back of the property without a road.

Mr. White replied foot traffic.

Mr. Costello stated that he felt the board should impose a 20K bond for future maintenance.

Mr. Copper stated that there will be two separate bonds; one for decommissioning and one for maintenance.

Mr. Costello asked the board to take into consideration trees falling and fence repair.

An audience member asked how many panels are being proposed.

Mr. White stated that there are 3,786 panel proposed.

Mr. Tom Reil an abutter was present.

Mr. Reil stated that the proposed driveway goes directly through the wetlands.

Mr. Paul Rebelo of 11 Francis Farm Road was present.

Mr. Rebelo asked when a solar panel is broken is someone going to walk a new panel all the way to the back of property.

Mr. White stated he imagined that there would be some type of cart, it might be motorized.

Mr. Rebelo stated so that would no longer be foot traffic.

Mr. White stated he was not sure on maintenance of the panels. That would be from the specific solar engineering company.

Mr. Rebelo asked that the flags be the same size as the actual solar panels in December.

Mr. White stated he agreed with that.

Mr. Rebelo stated that the solar farm on Summer Street has 100-foot buffer and you can still see it, so a 50-foot buffer is nothing.

Brianne Beagan of 113 County Street was present.

Ms. Beagan read a letter to the board. (See attached)

Mr. Cooper stated that the board has asked other solar companies these questions. The board has bonds for decommissioning. The board has specifics on everything, no hazardous waste. The board is bond by the zoning by laws and if the applicant complies, the board cannot vote against the project based on their feelings about the project.

Lynn Ferreira of 114 County Street was present.

Ms. Ferreira read a letter to the board. (See attached)

Mr. Cooper stated that solar is an allowed use in a residential area. This is allowed so the land is used as solar rather than a subdivision.

Mr. Bertozzi stated that the solar bylaw was created to override the existing zoning bylaw. The board should discuss the retreat lot question to town counsel.

Mr. Rebelo asked if trees would have to block the view from a second floor.

Mr. Ennis stated that trees need to be a minimum of 6 feet and 8 feet within their 5<sup>th</sup> year.

Mr. Rebelo asked how this project will impact flooding and the depth of the groundwater. What assurance would the neighborhood have?

Mr. Cooper stated that the board can hire an engineering firm to verify that the stormwater is checked. The hired engineer will look at all the impacts.

Mr. Ennis stated that there are models for infiltration. There should be no run off from this property.

Mr. White stated that stormwater will be looked at when the applicant files with the Conservation Commission.

Mr. Poyant stated that the application stated there would be no impervious areas on the site. Is the applicant using concrete blocks at the base of the panels?

Mr. White stated the applicant would be using single steel poles not concrete. The steel poles would be exposed 3 feet above the ground.

Mr. Rebelo stated that the poles that are being used will cause rusting into the ground. This can affect the groundwater and wells. How many poles are needed?

Mr. White stated he was not sure how many poles would be required.

Mr. Rebelo stated that the grass area would compact overtime and still may cause flooding.

Mr. White stated that the applicant cannot increase stormwater onto adjoining properties.

Mr. Ennis stated that the board's engineers would look at this as well.

Mr. Rebelo asked how Rehoboth residents benefit from this project.

Mr. Ennis stated that there would tax revenue.

Mr. Reil asked if there were any state or federal grants involved with this project.

Mr. White stated he is not privy to that information.

Ms. Karen DaSilva of 43 Francis Farm Road was present.

Ms. DaSilva stated that the decommissioning bond is extremely low.

Mr. Cooper stated that he agreed. This is only a preliminary hearing.

Ms. DaSilva stated that there would be hazardous waste, lead and cadmium. It will leach into the ground water and wells. The maintenance bond needs to be enough.

Mr. Cooper stated that the board will address it. It will also be reviewed by our town counsel.

Ms. Angela Pomento stated that she was an abutter and not notified.  
Ms. Pomento stated that the poles in the ground will cause more iron in her pipes from the water.  
Mr. Copper asked Mr. White if the poles were galvanized steel.  
Mr. White replied yes.  
Mr. Kevin Beagan 113 County Street was present.  
Mr. Beagan read zoning bylaw 8.2.  
Mr. Cooper stated that he was reading from the zoning bylaw not a planning bylaw.  
Mr. White stated that it would be a good idea for the applicant to come back with more information.  
Mr. Cooper asked the audience if there were any more questions.  
Mr. Jeff Martins 15 Francis farm Road was present.  
Mr. Martins asked where the electricity goes. Also asked about the poles, how many there would be.  
Mr. Cooper stated that the electricity would go back to the grid. The poles have not been decided on yet.  
Ms. Vadnais stated that she is against the above ground pole waiver.  
Mr. Cooper stated that the above ground poles have only been allowed once for a solar farm in town.  
An abutter asked the board to clarify the process.  
Mr. Cooper explained the process. He stated that in the past the office staff had emailed all people concerned to keep everyone updated.  
Mr. Poyant stated that a Notice of Intent has not yet been filed with the Conservation Commission. Only an Abbreviated Notice of Resource Area Delineation has been filed. This application will only discuss the wetland line, and then go out to a consultant to spot check if the wetland line is accurate. Anyone within 100 feet of the property will be notified when the Notice of Intent is filed.  
Mr. Krammer stated that people can be notified.  
Mr. Ennis stated that the application will be on the agenda until a decision has been made.  
Ms. Vadnais moved that the public comments should be included in the proposal going to Fuss & O'Neil.  
Mr. Moitozo seconded the motion. Motion passes.

#### 2. 17 Skyla Way behind 48 Colonial Way – DuVally – 18-01C

Mr. Cooper stated that the application's deadline is September 3, 2018. The applicant will need to continue the public hearing.  
Mr. Ennis moved that the public hearing be continued until September 30, 2018.  
Mr. Moitozo seconded the motion. Motion passes.

### **New Business**

#### 1. 216 Winthrop Street – DuVally – Discussion

Mr. John DuVally was present.  
Mr. Moitozo asked if Mr. DuVally had ever presented the board with anything like this in the past.  
Mr. DuVally replied yes.  
Mr. Hall Truber of Consulting Engineering 112 State Road was present.  
Mr. Truber presented the plans.  
Mr. Moitozo asked if this being presented as a drive through.  
Mr. Truber stated it is not. The driveway is just this was because of fire truck and deliveries to the back of the building.  
Ms. Vadnais asked if there were wetlands on the property.

Mr. Truber stated that according to the GIS maps there are not but will check with Conservation Commission.

Mr. Moitozo asked if there would be any type of food services in the building.

Mr. DuVally stated there was not. Also asked when he applies for the special permit, will that process be with the Planning Board.

Mr. Copper replied yes.

Mr. Bertozzi asked what the materials of the buildings were.

Mr. Truber stated that the trim is vinyl, and the siding is composet material.

Mr. Bertozzi asked what type of materials the roof would be.

Mr. Truber stated that the shingles would be architectural shingles.

Mr. Moitozo asked if the site slopes.

Mr. Tuber stated that there is an infiltration system.

Mr. Moitozo asked if the project could be proposed with one driveway. The project would cause congestion on route 44 with two entrances.

Mr. DuVally stated that it is something that can be investigated. The fire chief suggested it be proposed this way for fire truck access.

Ms. Vadnais stated that there is ledge on the property, will there be blasting.

Mr. DuVally stated that the property would need to be checked further for that.

Mr. Bertozzi asked about lighting.

Mr. Truber stated that all proposed lighting will comply with the bylaws.

Mr. Cooper asked if there is a sign proposed.

Mr. Truber stated that signs would comply with the bylaws.

## **Old Business**

### **1. Cypress Creek – Decommissioning project-discussion**

The board reviewed information that was provided by Cypress Creek.

Mr. Ennis stated that the bond paperwork should be reviewed by town counsel.

Mr. Bertozzi moved to have town counsel review the bond.

Mr. Ennis seconded the motion. Motion passes.

Mr. Bertozzi stated that the Groundwater Protection District prohibits toxic or hazardous materials.

Mr. Moitozo stated that the engineer should look at the battery information should be looked at.

### **2. Groundwater Protection District Map – Update**

Mr. Bertozzi updated that board on the proposed new map.

Ms. Vadnais asked how the new map would affect the local farmer.

Mr. Bertozzi stated that the bylaw language isn't going to change. He also stated that the publican of the map will have to present the proposed map to the Board of Selectman.

Ms. Vadnais asked if there should be a workshop with the public.

Mr. Bertozzi stated that he could sit down with Ms. Vadnais and discuss that.


Mr. Poyant stated that he plans on doing outreach to the public regarding a few things. He can include this.

## **Adjournment**

Mr. Krammer motioned to adjourn at 9:50pm

Ms. Vadnais seconded the motion. Motion passed.

Respectfully Submitted

  
\_\_\_\_\_  
Christopher Cooper, Chairman

\_\_\_\_\_  
Robert Moitozo, Vice-Chairman

**nationalgrid**

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# **New Reynolds Avenue Substation**

**Rehoboth, MA**

**August 2018**

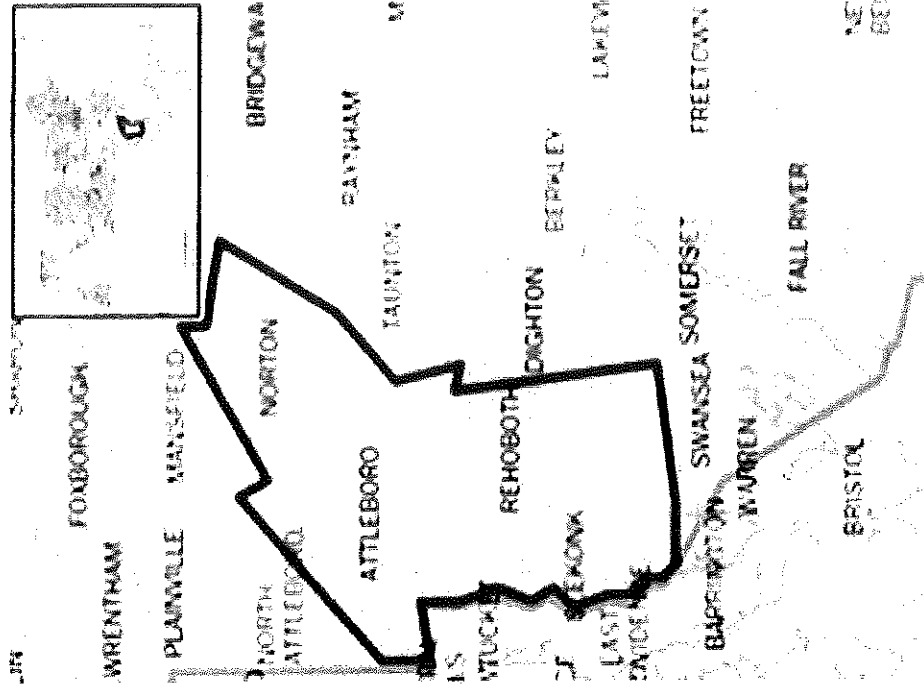


# Project Need

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- Historically, Rehoboth has experienced lengthy power outages during storm events
- Area study was performed to identify and address loading and reliability issues
- System modeling indicates that existing distribution feeders and transformers have been overloaded since 2015
- Projections show continued growth through 2030



# Response to Reliability Concerns

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- In response to community concerns with reliability, National Grid completed a number of action items:
  - Undertook comprehensive inspection and maintenance program
  - Improved communication & coordination during storm restoration events
  - Created alternate source of supply for customers served from Rehoboth #3 Substation
  - Upgraded distribution lines from 4kV to 13kV
  - Designed new 115/13kV substation to reinforce area
    - Estimated investment of \$50M

# Benefits of Proposed Reynolds Avenue Substation

**nationalgrid**

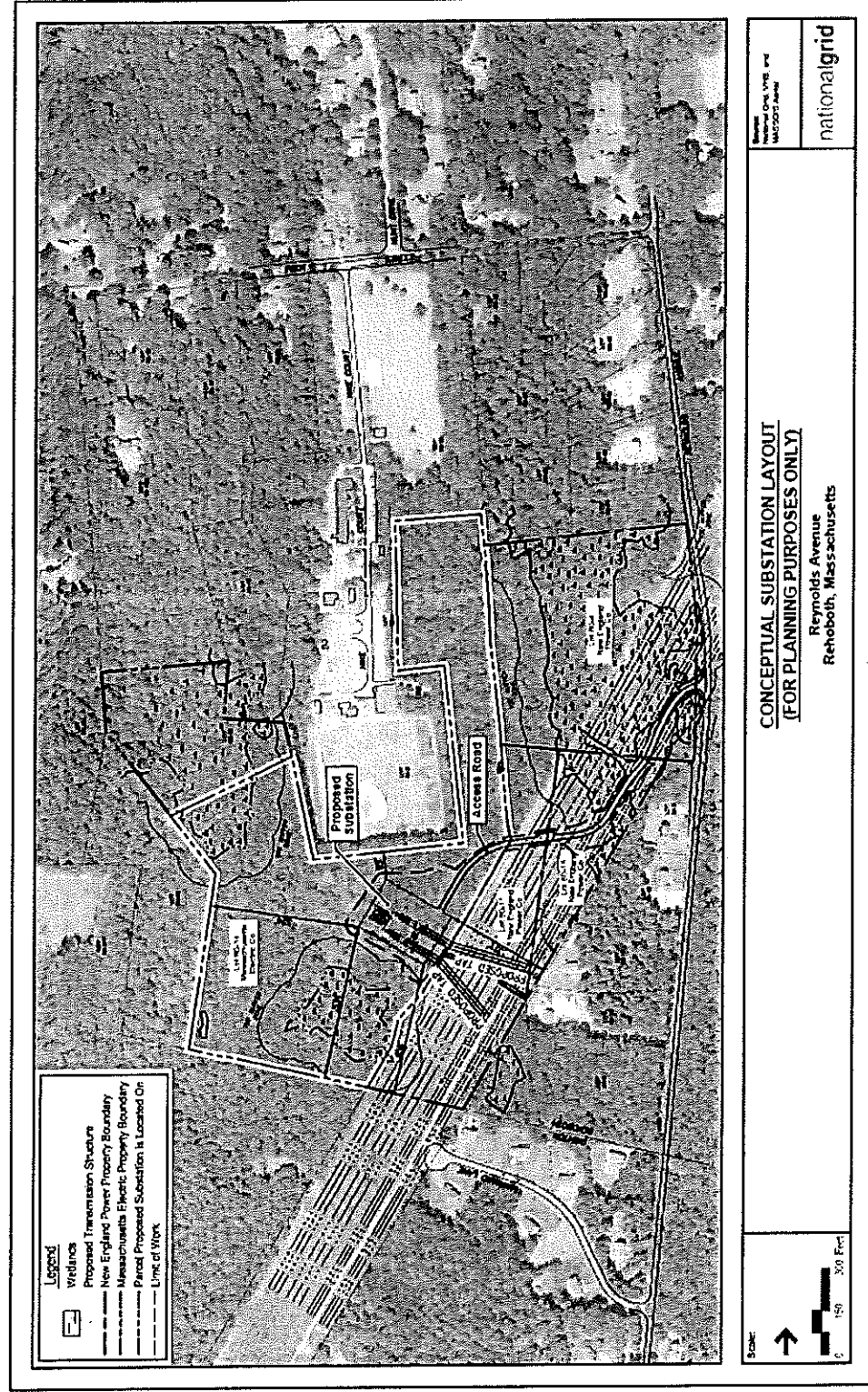
HERE WITH YOU. HERE FOR YOU.

- Resolves reliability issues and provides reliable electric service to customers in Rehoboth and surrounding towns
- Eliminates reliance on substations in surrounding towns and brings the source directly to Rehoboth which enables quicker power restoration during storm events
- Includes five distribution feeder positions with capacity for future growth
- Proposed station is conveniently located in close proximity to transmission source
- Site is directly adjacent to large transmission line right-of-way with existing facilities
- Transmission line tap is located entirely on NEP property
- Site is sized to allow use of standard substation design, making future operations and maintenance safer and easier
- Increased tax revenues to Town

# Conceptual Site Plan

**nationalgrid**

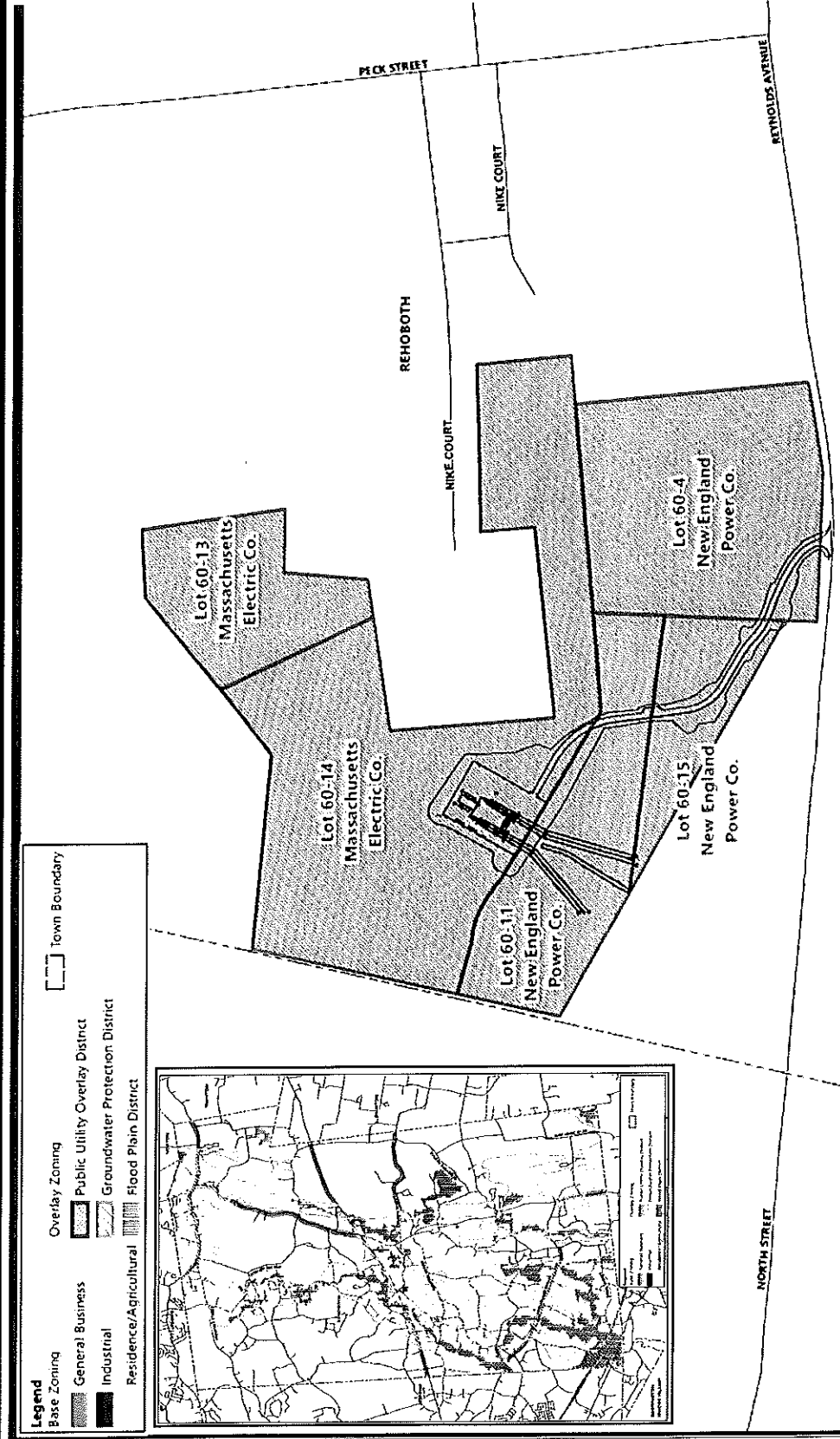
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# Zoning Overlay

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# Representative Substation Layout

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Photo: Highland Park Substation Cumberland, RI

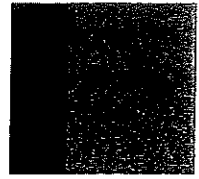
# Estimated Project Timeline

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- Begin Stakeholder Outreach – Summer 2018
  - Open House – Fall 2018 (ahead of Special Town Meeting)
- Special Town Meeting – October 2018
- All Permits In-Hand – Winter 2019/2020
- Construction Start – Spring 2020
- Construction Complete – Spring 2023 (includes all associated distribution line work)

Paul & Cheryl Rebelo  
11 Francis Farm Road, Rehoboth, MA 02769  
(h) 508-252-3810 (e) crebelo11@gmail.com



August 15, 2018

Town of Rehoboth  
Planning Board  
148 Peck Street  
Rehoboth, MA 02769

**RE: SOLAR FARM AT 117 COUNTY STREET**

Dear Planning Board,

We want to express our serious concerns over the proposed large-scale Solar Farm project to be located at 117 County Street. The project calls for the clearing of over eleven acres of land and the subsequent installation of nearly 4,000 solar panels in a residential area.

This project would seriously change the landscape of our neighborhood not just by allowing industry to take up residence in a residential area but also the potential hazards that will be posed to those who live nearby including to our water wells. Any potential threat to our water wells is severe and deserves serious consideration to determine that the benefits far out-way the risks posed to those who could potentially suffer from any number of unforeseen issues that could arise as a result of a project of this magnitude. Without drinkable water, we can't live in our homes nor sell our homes.

We moved to Rehoboth and love it for its beauty and tranquility. This project leaves those of us who live nearby too vulnerable to potentially serious and unknown negative implications to our lives and livelihoods. Please take into consideration how your decision will directly impact not just where we live but our home.

Sincerely,

Paul Rebelo & Cheryl Rebelo



Kevin Beagan 113 county

As an abutter my family and I are adamantly opposed to allowing for the Special Permit to change the zoning of 117 county street for construction of a large scale solar farm. We feel granting this special permit will prove to be detrimental to the property value of our home.

Under the Rehoboth Zoning by laws, Section 8.2 outlines the General Requirements for Special Permits. This section states No special permit shall be granted hereunder for a use which is, in the opinion of the Zoning Board, Injurious, Noxious, Offensive, Detrimental or inappropriate to adjacent properties or to the neighborhood or for a use which does not substantially serve public health, safety, convenience, welfare and property values in the neighborhood.

In my opinion, allowing a company to come in and completely tear down 11 acres of a heavily forested residential Lot and build within the wetland buffer will be Injurious, Noxious, Offensive and detrimental to adjacent properties and the neighborhood. This is further evidenced by the waivers that have been requested as part of this special permit.

For example Waiver for Section 4.2.8 Landscaping Plan. A plan indicating all proposed changes to the landscape of the site, including temporary roads or driveways, grading, vegetation clearing and planting, exterior lighting, screen or vegetation structures. This would mean that adjacent lots would now have a view of chain link fencing and rows of solar panels in place of the forest that is currently there. We purchased our home 5 years ago at market value and would not have even considered purchasing the property if the back yard was lined with rows of chain link fencing, Flood Lights, and a view of a solar farm instead of the trees and vegetation that is there today. In addition what happens during the winter when there is minimal foliage? My Family and All of my neighbors will have a view of the Solar Facility. In addition with all of the trees cleared down, this eliminates the sound barrier from events held at Francis Farm. Creating a nuisance for those living on the other side of the lot.

This point is further emphasized by the second requested waiver for Section 4.2.5 Visualizations. This would eliminate the zoning board the authority to select up to four sightlines including the nearest building with a view of the Large Scale Ground Mounted Solar Installation for pre and post construction view representations. View Representations will include existing, or proposed buildings, or tree coverage. Similar to the waiver for the landscaping plan, this would open up views of the fencing and solar panels to all abutters of the property. Again, this would be detrimental and offensive to not only my property but all of the properties in the neighborhood.

Another Wavier for Section 3.9.4 Utility Connections. This would allow the contractor to place above ground utility connections. In addition to the chain link fencing abutters would now have power lines and utility Poles abutting their property and in full view of their homes. Further decreasing property values.

Another Waiver for Section 4.2.6 Operation and Maintenance plan. This waives the applicants need to submit a plan for maintenance of access roads and storm water controls. With all the rain we just had this past week, I can tell you that our back yard is saturated. What happens when all of the Trees and vegetation that is there today is torn down? All of that water could flow into not only my backyard but the backyards of all my neighbors. This could flood homes and could impact our well water proving to both noxious and injurious.

As I said earlier, we are extremely opposed to allowing a special permit to change the zoning of what is now a retreat lot to allow for what is essentially a manufacturing facility to be placed in a residential neighborhood. We feel that this special permit along with the requested waivers will be inappropriate and detrimental to all adjacent properties and to the neighborhood.

*Gynne Ferreira 114 County St.*

Chairman Cooper, members of the board, Mr. Poyant. It came as a shock when I received a registered letter concerning the proposed installation of a 1.01 MW large-scale ground-mounted photovoltaic system across the street. Although the letter regarding its decommissioning states that it is a 1.25 MW installation, I feel that the discrepancy is irrelevant at this time. At first, I thought that maybe I had missed a note on my door, or in my mailbox. Because surely, with a project of this magnitude so close to neighboring homes, the developer or new owner would have wanted to receive some preliminary feedback from the stakeholders who would be most affected. Alas, I had not missed any communication from anyone involved in the project, nor did my neighbors, until our registered letters were received. However, now I find myself thanking the applicant, for if I did not feel slighted, I might not have researched this project in depth nor would I have learned as much about the solar industry.

I am not going to argue the benefits of utilizing solar over traditional fossil fuels to generate electrical power. I believe we can all agree that solar provides a much cleaner option. I fully support clean energy production facilities, as long as they are sited appropriately.

According to the records at our Assessor's office, in addition to the solar installation on our former landfill, the existing electrical power generating facilities in town are on parcels that were previously either industrial, agricultural, or recreational. To my knowledge, if approved, the project at 117 County Street would be Rehoboth's first large-scale solar facility installed on an undisturbed residential lot. The decision given by the board on this special permit application may set a precedent which will significantly impact the future of Rehoboth.

The residents of Rehoboth deserve the assurance that their health, safety, and welfare will be preserved for the future. Trees are vital natural resources that provide air pollution reduction, erosion control, and wildlife habitat. Should this permit be approved, acres of mature trees, some possibly more than a century old, would be clear-cut, disrupting the site's ecological balance and displacing a multitude of wildlife. We would effectively receive a short-term economic gain at the expense of costly long-term ecological damage. This practice would be unsustainable. There is a Native American proverb that states "When the last tree is cut, the last fish is caught, and the last river is polluted; when to breathe the air is sickening, you will realize, too late, that wealth is not in bank accounts and that you can't eat money."

The Massachusetts Department of Energy Resources "strongly discourages locations that result in significant loss of land and natural resources, including farm and forest land, and encourages rooftop siting, as well as locations in industrial and commercial districts, or on vacant, disturbed land. Significant tree cutting is problematic because of the important water management, cooling, and climate benefits trees provide." In fact, to discourage the destruction of undisturbed land, the new Solar Massachusetts Renewable Target program, which promotes and provides incentives for solar development, imposes penalties for those using this practice. "Ground-mounted projects that are larger than 500 kW, not sited on a brownfield or landfill, and are on land that has not been previously developed, will be subject to a \$/kWh "subtractor" that changes based on the number of acres impacted."

This project is labeled a large-scale ground-mounted solar photovoltaic installation, but let us not lose perspective. This is an industrial facility which manufactures electricity by using solar energy as a raw material instead of fossil fuels. According to M.G.L. Chapter 40A § 9 paragraph 1, "special permits may be issued only for uses which are in harmony with the general purpose and intent of the ordinance or by-law, and shall be subject to general or specific provisions set forth therein." On March 16, 2005, the Rehoboth Planning Board approved and endorsed an ANR plan for Foley Realty, LLC which was subsequently recorded at the Bristol County North Registry of Deeds on June 10, of the same year, at Plan Book 436 Page 75. The lot, now known as 117 County Street, was designated as a retreat lot by virtue of, and is governed by, the Rehoboth By-Law Article 5.1.01 -Retreat Lots, which states that "the purpose of this by-Law is to lessen building density and to maintain open space while allowing for single-family use on larger tracts of land." It then goes on to state that "a residential, single-family lot need not have the specified amount of street frontage providing that requirements a-f apply.

I believe that the restriction regarding the issuance of special permits, as set forth by the Massachusetts General Laws, in conjunction with Rehoboth's retreat lot by-law, may, in fact, prevent this board from having the authority to approve the special permit request for 117 County St. According to assessor property cards, large-scale ground-mounted solar photovoltaic installations are considered industrial use. While they are exempt from the structure limitations and coverage restrictions of residential/agricultural districts, they are not exempt from required lot dimensions and they are most definitely not in harmony with restrictions set forth by the intent of the retreat lot zoning by-law. It would not be possible to spot zone this parcel for industrial use as it does not have the 200' frontage required by article 5.3 - Industrial Districts. As stated earlier, I am in favor of properly sited clean energy production facilities. However, I believe that 117 County Street would not be an appropriate site.

Thank you.

*Lynne McFerrin*  
114 County St.