

PLANNING BOARD
148 Peck Street
Rehoboth, MA 02769
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Christopher Cooper, Chairman
Robert Moitozo, Vice Chair
Edward Bertozzi
Tomas Ennis
William Costa Sr.
Jake Kramer
Tish Vadnais

**Meeting Minutes
December 5, 2018
Town Offices
148 Peck Street
Rehoboth, MA 02769
7:00 PM**

Present: Christopher Cooper, Edward Bertozzi, Robert Moitozo, Tish Vadnais, Jake Kramer,
Office Administrator Stacy Vilao.

Absent: Tomas Ennis, William Costa Sr

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

Form A

1. 113 Fairview Ave.- Owen - 18-16A

Ms. Rachel Smith from Otis Dyers office was present.

Ms. Smith presented plans.

Mr. Moitozo ask if lot 40A is the existing lot.

Ms. Smith stated yes.

Mr. Cooper asked in regards to lot 2, what is the narrowest distance between the 2 proposed lines.

Ms. Smith stated just over 50 feet.

Mr. Moitozo made a motion to endorse the plans.

Mr. Kramer seconded the motion. Motion passes

2. 104 Plain Street – Winter – 18-17A

Ms. Rachel Smith from Otis Dyers office was present.

Ms. Smith presented plans.

Mr. Moitozo asked how many lots currently exist.

Ms. Smith stated one, will be creating another non-confirming lot.

Mr. Bertozzi stated that the plans states “non – buildable at this time”, is that going to change in the future?

Ms. Smith stated that she will remove “at this time.”

Mr. Bertozzi stated he was confused by the plan stating “remaining land” show after lot 1.

Mr. Cooper stated that it should be called parcel A and be marked non-buildable.

Ms. Smith stated she would revise the plans.

Ms. Vadnais made a motion to endorse the plans once revised with changes.

Mr. Bertozzi seconded the motion. Motion passes.

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3. 142 Anawan St. – Warner – 18-18A

Ms. Rachel Smith from Otis Dyers office was present.

Ms. Smith presented plans.

Mr. Bertozzi stated that the plan was previously done, the piece to the north side, was conveyed as a “non-buildable lot”. It didn’t have sufficient frontage.

Ms. Smith stated that it is an abutting parcel.

Mr. Bertozzi stated that if the plan is endorsed it would be misleading, it needs to say “not a buildable lot.”

Ms. Smith agreed to add “not a buildable lot” to the plan.

Mr. Bertozzi made a motion to endorse the plan with the addition of the language spoke about.

Mr. Kramer seconded the motion. Motion passes.

Public Hearing

1. 117 County Street – 18-01 Solar, 18-02 GWSP, 18-02 SPA

Mr. Cooper stated the applicant has requested a continuance until January 23, 2019.

Ms. Vadnais made a motion to grant a continuance until January 23, 2019.

Mr. Moitozo seconded the motion. Motion passes.

2. 149 Pleasant Street – 18-02 Solar, 18-03 GWSP

A roll call vote was taken to open the public hearing.

All replied – aye.

Mr. Christopher Nolin of BETA Group was present.

Mr. Nolin presented plans.

Mr. Cooper stated that the biggest issue will be with screening of abutting properties.

Mr. Moitozo stated that the plans show 6-foot-tall evergreen, 15 – 20 feet apart, that won’t provided screening. The trees are not close enough.

Mr. Nolin stated that he could provide visualization. The applicant is looking into transplanting some of the large pine trees already on site. He asked about making the proposed fence higher.

Mr. Bertozzi stated that in trying to find a solution to screening, you could build a 6-foot berm with trees on top of it. The board will need to know what type of panel are going to be installed, what type of materials are going to be used, and to make sure that none of the items placed on the site contain highly toxic materials. Also, will the items installed stand up to adverse weather. The site is adjacent to one of the main water resources in town.

Mr. Copper stated the board would also need a detailed list of materials. Also, the only pole allowed is the one at the street, the rest of the utilities are to be underground.

Ms. Vadnais asked if the applicant would be opposed to putting the screening in before installing anything on the site.

Mr. Nolin stated that they would not be opposed to that.

Mr. Cooper asked the board what consultant would this be sent out to.

The Board agreed it should go to Fuss & O’Neil.

Mr. Bertozzi made a motion to send the application to Fuss & O’Neil for an estimate for review.

Ms. Vadnais seconded the motion. Motion passes.

Mr. Kyle Travers of 37 Columbine Road was present.

Mr. Travers provided photographs of his home that show his view of the property.

Mr. Travers expressed his concerns that his property is narrow, there is not enough screening proposed, how it will impact his property value, and how the project will look in general.

Mr. Cooper explained what the board can and cannot do.

Mr. Charles Pike of 6 Pierce Lane was present.

Mr. Pike spoke in regards to a drainage pipe that goes under the property and that it was installed

by Bristol County Mosquito Control.

Mr. Jeff Sine of 37 County Street was present.

Mr. Sine asked how the town will benefit from this project.

Mr. Nolin stated that once the project is built it will not draw on or have any impact on town resources.

New Business

1. 242 Perryville Road – 61A – Recommendation

Ms. Vadnais recused herself.

Mr. Moitozo made a motion that the Planning Board made a recommendation to the Board of Selectmen that the Town's right of first refusal not be exercised.

Mr. Kramer seconded the motion. Motion passes.

Minutes

1. October 17, 2018

Mr. Kramer made a motion to approve the above-named minutes with edits.

Ms. Vadnais seconded the motion. Motion passes.

Invoices

1. WB Mason - \$55.83 – office supplies

2. Fuss & O'Neil - \$610.00 – Eastwood Estates Phase II – Inv#0206960

3. Fuss & O'Neil - \$1014.62 – Eastwood Estates Phase I – Inv#0206959

4. Fuss & O'Neil - \$851.00 – The Preserve – Inv#0206957

5. WB Mason - \$135.84 – printer toner

Mr. Kramer made a motion to pay the above-named invoices.

Mr. Moitozo seconded the motion. Motion passes.

New Business

1. Retention / Detention Basins – Jurisdiction

Mr. Cooper asked whose jurisdiction it is to maintain the retention/detention basins in town.

Mr. Kramer stated the Forestry Department.

2. Open Space – Subdivisions

Mr. Cooper stated that there is a requirement on sub-division to require open space. This does not include a right of way.

3. Form A

Mr. Bertozzi stated that a Form A lot with no frontage or less than 200' frontage is not buildable. According to court cases, it is possible to create a Form A lot lacking adequate frontage if said lot is not buildable and is identified on the Plan as "not a buildable lot".

Mr. Moitozo stated that all requirement for a Form A plan can be found in the ANR handbook.

4. By-Law Discussion

Mr. Bertozzi stated he had a memo is regards to by-laws, he would pass it to the board.

5. Solar By-Law

Mr. Cooper asked Mr. Bertozzi in regards to solar applications, can we ask the applicant do

landscaping, screening before the construction of the site.

Mr. Bertozzi stated that the board would have to make it a condition upon approval of the application.

Mr. Kramer asked how detailed he should make the landscaping part of the proposed solar by-law.

Mr. Moitozo stated that he felt it shouldn't be too detailed, so this can be changed if needed, based on the application.

Mr. Cooper stated that it also should not be too long so people read it before town meeting.

Mr. Bertozzi suggested the Planning Board could adopt a regulation under the Site Approval section of the by-law which could set forth at length the wording landscaping Mr. Kramer recommends, so that the wording could be as complete and extensive as Mr. Kramer recommends.

6. Summer Street – Solar Project

Ms. Vadnais asked the Board of Selectmen about the Summer Street solar project and having a committee. There is a Green Energy Committee, and was going to ask the board if the committee could attend a meeting. Also spoke about possibly talking to Town Counsel about when the situation of this project or others in town happen again, to have something in place that the town can take the power from the grid, instead of the applicant still getting it.

7. Site Walk

The board had a discussion regarding a site walk to 117 County Street – Solar project site. The board agreed to visit the site on Sunday December 9, 2018 at 10AM.

Adjournment

Ms. Vadnais motioned to adjourn at 9:43pm

Mr. Kramer seconded the motion. Motion passed.

Respectfully Submitted



Christopher Cooper, Chairman



Robert Moitozo, Vice-Chairman