

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

19 JAN 25 AM 11:06
OFFICE OF THE TOWN CLERK
REHOBOTH, MA

**Meeting Minutes
December 19, 2018
Town Offices
148 Peck Street
Rehoboth, MA 02769
7:00 PM**

Present: Christopher Cooper, Edward Bertozzi, Robert Moitozo, Tomas Ennis, William Costa Sr, Tish Vadnais, Office Administrator Stacy Vilao.

Absent: Jake Kramer

Mr. Cooper began the meeting with the Pledge of allegiance at 7:01p.m.

Form A

1. Park Street- DuVally - 18-19A

Mr. Robert Davis from InSite Engineering was present.

Mr. Davis presented plans.

Mr. Bertozzi asked what the frontage was for the 3 front lots.

Mr. Davis stated that it was over 200'.

Mr. Bertozzi read the retreat lot regulations. When lots acreage is all put together there is significant acreage. The acreage is close to 60 acres.

Mr. Davis stated that there is no subdivision proposed at this time.

Mr. Bertozzi asked how the back land would be accessed. What is the plans for the remaining land at this time?

Mr. Davis stated he would have the land marked as "non-buildable".

Mr. Bertozzi stated that the back land could be accessed through lot 1.

Mr. Ryan DuVally was present.

Mr. DuVally stated that it was not the intent to access the back land, or sub-divide again.

Mr. Moitozo made a motion to endorse the plans.

Mr. Ennis seconded the motion. Motion passes.

Invoices

1. Fuss & O'Neil - \$381.07 – Eastwood Estates Phase II

Mr. Ennis made a motion to pay the above-named invoice.

Mr. Moitozo seconded the motion. Motion passes.

Minutes

1. December 5, 2018

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

Mr. Ennis seconded the motion. Motion passes.

New Business

1. Green Energy Committee - Discussion

Ms. Vadnais stated that she would like to have the Green Energy Committee come into a meeting and discuss Solar By-laws. Would like to have a joint meeting with the committee.

2. Tree Warden – Rob Johnson – Discussion

Mr. Rob Johnson the town Tree Warden was present.

Mr. Johnson spoke in regards to 3 trees on Bay State Road, based on a survey from National Grid, that need to be taken down.

Ms. Vadnais stated that depending on the size of the tree it may need to go before town meeting.

Mr. Johnson stated that he could use his own discretion.

Mr. Bertozzi asked if it was on town property.

Mr. Johnson replied yes.

Mr. Cooper stated that if the trees are dangerous the board would defer to his expertise.

Mr. Johnson stated that there are Black Locust trees on Calisto Dr, the neighbors have all signed a petition to have them taken down. The roots are ripping up the road. There would be new trees planted in place of the ones taken down. There is not a budget to replant new trees, there may need to be a public hearing for this particular issue.

Mr. Bertozzi stated that there is no information in the by-laws about trees on roadways, only scenic roads.

Mr. Johnson stated that the trees were something that was approved by the board in the past. He suggested that these types of trees not be approved in the future because of the damage they do to roadways. Also asked if there was a public hearing needed for this particular situation.

Mr. Cooper stated that Mr. Johnson would need to speak with the Board of Selectmen, is out of the scope of the board.

Public Hearing

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

Mr. Costa recused himself.

Mr. Cooper stated that the board had visited the site. Some of the project can't be screened, and highlights some of the things that should be added to the solar by-law.

Ms. Vadnais asked if there was a way to make the applicant come before the board and have them move forward with the project.

Mr. Bertozzi stated that she would need to speak to Town Counsel in regards to that.

Mr. Cooper stated that historically as a board we have, as a courtesy, allowed applicants to continue a public hearing.

Mr. Bertozzi stated that the arrays proposed on this project are proposed to be built up to the 50' mark.

Ms. Breanne Beagan of 113 County Street was present.

Ms. Beagan thanked the board for coming out to look at the proposed projects.

Mr. Bertozzi made a motion to allow Ms. Vadnais to speak to Town Counsel in regards to the deadline of the project.

Mr. Moitozo seconded the motion. Mr. Ennis abstained. Motion passes.

Ms. Lynn Ferreira of 114 County Street was present.

Ms. Beagan stated that the plans show more screening than can be there.

Mr. Copper stated that in denying the continuance, it can be obituary, there needs to be a reason,

something the board can back up and refer to in the future.

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

Mr. Cooper stated that the applicant is not present. The board has not heard back from Fuss & O'Neil at this time.

3. 582 Winthrop Street – Geisser – 18-03 GWSP

Mr. Moitozo made a motion to open the public hearing.

Mr. Bertozzi seconded the motion.

Roll call vote: all replied "Aye". Motion passes.

Mr. Dennis Geisser was present on behalf of himself.

Mr. Geisser presented plans.

The board discussed what type of business was proposed on the site, where the driveway was proposed, what type of equipment would be stored on site, how the land slopes and where the fence is proposed.

Mr. Geisser stated that the business would be just storage of equipment, there will be no customers. The driveway is proposed to go the entire length of the side of the property. There would be 2 6 x 10 trailers, a 20' trailer, and 2 trucks stored on the property. The property is flat. The fence is proposed 3' from the property line.

Mr. Ennis stated that he is concerned with run off on the property, the driveway proposed is long.

Mr. Costa asked if there would be any screening from the main road?

Mr. Geisser stated that he would like to put up a privacy fence.

Ms. Vadnais stated her concern would be run off into the wetlands.

Mr. Cooper asked if there would be any maintenance of equipment on site? Is there any hazardous material being stored on the property?

Mr. Geisser replied no.

Mr. Cooper asked the board if they felt an engineer needed to look at the project due to run off from the proposed driveway?

Ms. Vadnais stated she would be in agreement with having it looked at by an engineer.

Mr. Bertozzi asked if a site plan approval is needed. He read the regulations for site plan approval. After reading the regulations, a site plan approval should be required. The applicant will need engineered plans. Also asked what the Zoning Enforcement Officer stated in regards to this property and the type of business proposed.

Mr. Geisser stated that he would only be using the property for storage.

Mr. Bertozzi stated if the use is not listed in the regulations as a use, then you can't get a building permit. This proposed project does not fit under business district. Commercial vehicle storage is not permitted.

Mr. Cooper stated that the Zoning Enforcement Officer should send a letter to the board. There are questions if this application triggers a need for Site Plan Approval.

Mr. Geisser asked the board what they need him to do?

Mr. Ennis asked if Mr. Geisser need to pave the entire driveway, could some of it be left as gravel?

Mr. Geisser replied yes, he could leave some of it as gravel.

Mr. Bertozzi stated that he felt there still needs to be a Site Plan Approval.

New Business

1. Fiske / Sagar - Discussion

Mr. Gary Sagar representing Fiske Family Trust, was present.

Mr. Sagar stated that a plan had been submitted in the past, there are no minutes with definitive

answers as to why the project was denied.

Mr. Moitozo stated that as he recalled the objection was the end of Country Road. It exceeds the regulations for the dead-end road.

The board discussed the regulations and how this project did or didn't fall within those regulations. Mr. Cooper stated that someone from the board should speak with Town Counsel in regards to the regulations for dead end roads

Mr. Bertozzi requested a letter from Mr. Sagar, on where he stands with this project and the dead-end road regulations.

Mr. Ennis made a motion to have Ms. Vilao forward the above-mentioned letter, once received, to Town Counsel.

Mr. Costa seconded the motion. Motion passes.

2. Town Planner – Job Description

Mr. Cooper asked the board if they had anything that needed to be added to the job description for Town Planner?

Mr. Moitozo stated that the planner works under the supervision of the Planning Board, but reports to the Board of Selectmen.

3. Zoning By-Law Modification – Ed Bertozzi

Mr. Cooper stated that Mr. Bertozzi had done a very thorough job going through the proposed by-laws as well as the current by-laws and finding changes needed.

Mr. Bertozzi stated that he had compared the current by-laws to the proposed by-laws. He read his memo to the board. The board should have a list of planning issues that require changes in the Zoning by-laws. The board needs to decide if they want to push for amendments. The amendments can be considered on their own. Asked if someone on the board has the ability to go through and reformat the by-law, and fix the numbering system. Asked the board to go through the by-laws and put a check mark next to the ones the board felt were important and then number them by importance.

4. SRPEDD – Bill Costa

Mr. Costa gave the board an update from a meeting he had attended with SRPEDD and the Water Commission. The groundwater & water resource maps were discussed.

There was discussion about what the board felt should and shouldn't be on the maps.

Adjournment

Mr. Ennis motioned to adjourn at 9:37pm

Ms. Vadnais seconded the motion. Motion passed.

Respectfully Submitted


Christopher Cooper, Chairman

Robert Moitozo, Vice-Chairman