

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
Lynne Ferreira, Assoc. Mbr.
Daniel Roach, Town Planner

**Meeting Minutes
April 24, 2019
Town Offices
148 Peck Street
Rehoboth, MA 02769
7:00 PM**

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MAY 23 AM 10:51
OFFICE OF THE TOWN CLERK
REHOBOTH, MA

Present: Christopher Cooper, Robert Moitozo, Edward Bertozzi, Tomas Ennis, William Costa Sr, Tish Vadnais, Jake Kramer, Lynne Ferreira, Associate Member and Daniel Roach Town Planner.

Absent:

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

Form A

1. Moulton Street & Linden Lane – Starr Real Estates – 19-04A

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

Mr. Davis presented plans.

Mr. Moitozo questioned if changes made to lot 180 made if more non-conforming?

Mr. Davis stated that the lot is pre existing as far as frontage, set backs and acreage are conforming.

There was discussion of past precedent in regards to non-conforming issue.

Ms. Vadnais asked about the house location and future development of lot 180.

Mr. Davis replied there is no future development for lot 180.

Mr. Cooper stated that the wording “will not subdivide further” needs to be added to the plans for lot 180.

Mr. Moitozo asked if we can approve something that has insufficient frontage.

There was discussion regarding potential retreat lot creation.

Mr. Davis stated that a retreat lot would not be viable for future plans for the back lot. We are willing to add deed on lot 180 for no further subdivision.

Mr. Bertozzi asked if there was going to be an access easement to the back lot?

Mr. Davis replied no there will not be.

There was discussion regarding a subdivision in the back part of the property.

Mr. Cooper stated that the board did not know if they could legally approve a non-conforming preexisting Form A lot with inadequate frontage.

Mr. Davis stated that there are laws to support approving it.

Mr. Cooper stated that the board will contact Town Counsel and schedule a meeting next week for

the final decision.

Public Hearings

1. Microbrewery/Microdistillery – By-law

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

Mr. Kramer seconded the motion.

Roll call vote: All replied “aye”.

Mr. Jim Muri was present on behalf of himself.

Mr. Muri presented plans.

Mr. Muri stated that the brewery will increase from 25k gallons to 65k gallons. The Distillery will increase from 5k to 10k. He will endorse lowering the distillery amount back to 5k on the floor at Town Meeting. There will be production and tasting on the premises. Will also, sell to local businesses.

Mr. Ennis made a motion to close the public hearing.

Mr. Kramer seconded the motion.

Roll call vote: All replied “aye”.

Ms. Vadnais made a motion to endorse the proposed by-law.

Mr. Kramer seconded the motion. Motion passes.

2. Marijuana Establishment By-law Amendment

Mr. Gerry Schwall was present on behalf of the Board of Selectmen.

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

Mr. Moitozo seconded the motion.

Roll call vote: All replied “aye”.

Mr. Schwall presented changes. The medical will be by Special Permit and located in the Highway District.

Mr. Ennis asked how many licenses could be issued in the town.

Mr. Schwall stated that there is only one licenses for the town to issue.

Mr. Costa made a motion to close the public hearing.

Mr. Ennis seconded the motion.

Roll call vote: All replied “aye”.

Ms. Vadnais made a motion to endorse the amendment to the by-law.

Mr. Ennis seconded the motion. Motion passes.

New Business

1. Roadway Acceptance/Subdivision Regs – Discussion with Jim Muri

Mr. Jim Muri presented newly proposed roadway regulations that were brought up by Town Counsel. For Form C's specifically, the town would own roads.

Mr. Bertozzi asked how this would affect gated communities.

Mr. Muri replied that the applicant would continue to own the road. Recommended that Town Counsel be asked in those situations.

Public Hearings

3. 462 Winthrop Street – 19-01 SPA

Mr. Cooper asked if the office had heard from the applicant?

Mr. Roach stated that the office has not heard from the applicant.

Mr. Cooper stated that due to the application deadline a decision needs to be made at this meeting.

Ms. Vadnais made a motion to close the public hearing.

Mr. Moitozo seconded the motion.

Roll call vote: All replied "aye".

Mr. Ennis made a motion to disapprove the application unless continued by the end of the day April 24, 2019.

Ms. Vadnais seconded the motion. Motion passes.

New Business

2. Groundwater Protection District

Mr. Ted Ballard from the Water Commission was present.

Mr. Bertozzi presented findings of business within Rehoboth and their potential issues with compliance with the proposed Ground Water Protection District.

Mr. Ennis presented his concerns with business and the expansion of the GWPD.

Mr. Cooper stated that he had concerns with everyone having to file for a Special Permit.

There was discussion regarding who will monitor business to ensure compliance and the effect expansion would have on businesses.

Mr. Ballard explained the history and science behind the GWPD and the reason for the expansion.

3. Town Planner Job Description

Mr. Cooper stated that the job description would need to be looked over and voted on at the next meeting.

There was discussion regarding if the job description was previously voted on and that the videos of previous meeting should be checked.

4. Bay State Road & Pond Street – Discussion

Mr. Kramer gave the board a description and update as to the situation on Bay State Rd and Pond St. with the American Legion. He will report back to the board as the situation develops.

5. 353 Smith Street – Waiver Form A Fees - Discussion

Mr. Cooper stated that when the applicant comes in to refile, the waiving of the fees will be discussed than.

Minutes

1. April 3, 2019

Mr. Kramer made a motion to accept the above-named minutes.

Mr. Costa seconded the motion. Motion passes.

Adjournment

Mr. Costa made a motion to adjourn at 8:45 pm

Mr. Kramer seconded the motion. Motion passed.

Respectfully Submitted

Christopher Cooper, Chairman


Robert Moitozo, Vice-Chairman