

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



James Muri, Chairman  
Edward Bertozzi, Vice Chair  
John Moriarty, Clerk  
Robert Moitozo  
Tomas Ennis  
Christopher Cooper  
Stephen Brooks, Jr.  
John Scanlon, Assoc. Member

**Meeting Minutes  
October 21, 2015  
Town Offices  
148 Peck Street  
Rehoboth, MA 02769  
7:00 PM**

RECEIVED  
17 MAR - 2 AM 9:05  
OFFICE OF THE TOWN CLERK  
REHOBOTH, MA

Present: James Muri, Robert Moitozo, Stephen Brooks, Jr., Edward Bertozzi, Christopher Cooper  
Tomas Ennis, John Scanlon, Associate Member  
Town Planner – Leeann Bradley

Absent: John Moriarty

Pledge at 7:00p.m.

Form A

**Public Hearings**

1. MTC Mechanical & Electrical co. LLC – 242 Winthrop St., 15-04 SPA and 15-03GWSP –Mr. Rich Riccio from Field Engineering was present on behalf of the applicant. He prepared a written response letter regarding comments from the Planning Board at the last meeting. He addressed each comment regarding the proposed addition and the materials to be used for the roof and addition. It will match the existing building. The only exterior lighting proposed is motion detector lighting near the generator in case it needs service. No additional code requirements are needed for the addition. Mr. Muri asked why the building is being expanded. Mr. Riccio indicated the applicant will be bringing in more communication equipment to provide service more efficiently. They will be updating the HVAC unit to keep equipment cool. Mr. Riccio submitted cut sheets for the diesel generator and the secondary containment unit. The abutter list has been revised and notifications have been sent out.

Mr. Brooks motioned to close the Groundwater Special Permit public hearing.

Mr. Cooper seconded the motion. Motion passed. Roll call vote. All aye

Mr. Brooks motioned to approve the Groundwater Special Permit.

Mr. Cooper seconded the motion. Motion passed. Roll call vote. All aye

Mr. Cooper motioned to approve the Site Plan Approval.

Mr. Moitozo seconded the motion. Motion passed. Roll call vote. All aye

2. Zoning Bylaw Amendments – Large Scale Ground Mounted Solar Photovoltaic Facilities, site Plan approval Fees and Groundwater Special Permit Fees - Mr. Muri gave a brief overview of recent solar projects and the problems encountered along the way, mainly involving screening and overall esthetics. A workshop was conducted to strengthen the language and make it absolutely clear to the applicant what is expected of them. They are requiring that switch gears and transformers etc...be ground mounted to eliminate unsightly utility poles. Clarification was established regarding the height of trees to be planted. Independent consultants can be hired at the cost of the applicant. Clarification was also noted regarding short term surety for tree planting. Mr. Bertozzi stated this additional language is a real improvement. These issues have come up too often, noting that landscape plans look like they will work, but when trees are planted it's obvious that the plans are misleading. This amendment is designed to protect the town. Mr. Scanlon stated the amendment is in response to numerous complaints received from Rehoboth citizens. Mr. Muri noted that for the purposes of formality he asked for a motion to open the public hearing for the Zoning Bylaw Amendment for special town meeting in November.

Mr. Moitozo made the motion. All aye.

Mr. Bertozzi motioned to approve the proposed amendment and recommend to the selectmen and the town meeting that they approve this amendment.

Mr. Brooks seconded the motion. Motion passed. All aye.

Mr. Bertozzi motioned to close the public hearing on the Zoning Bylaw Amendment.

Mr. Cooper seconded the motion. Motion passed. All aye.

#### New Business

1. Landfill – Solar Project – tree planting – The representative for the project stated the north edge needs road access and trees cannot be planted there. The access road cannot be moved. They are proposing an alternate type of screen method to avoid root migration toward the back of the site. The buffer alternative would consist of slats in the fence or a type of mesh on the fence. The solar panels would still be visible. Mr. Muri wants to notify the abutters and get their feedback regarding the screening so they can all come to a decision. He would like to see some low growing bushes planted to conceal the panel platforms. It must be determined who owns the fence also. This matter will be discussed at the next Planning Board meeting on November 4, 2015.

#### 2. 40B Workshop Reimbursement \$85.00. for Mr. Bertozzi

Mr. Ennis motioned to reimburse Mr. Bertozzi for attending the 40B workshop.

Mr. Brooks seconded the motion. Motion passed.

#### Old Business

1. Sun Edison – 280 Summer St. – Landscaping Update – Mr. Muri stated he received a proposal from Gardner and Gerish, LLC. They proposed a three phase re-design for 280 Summer Street totaling \$4,550.00. Mr. Muri stated Town Counsel advised them that if they wished to execute the bond the approval of phase 1 and 2 would be sufficient to get the ball rolling and then that would allow a sufficient amount for phase 3. He asked if the board is willing to accept this proposal. Mr. Muri feels they should be hired to conduct phase 1 and take it from there.

Mr. Cooper suggested approving phase 1 and phase 2. Mr. Brooks agreed.

Mr. Cooper motioned to accept phase 1 and phase 2 as proposed.

Mr. Brooks seconded the motion. Motion passed. All aye with the exception of Mr. Moitozo who abstained.

2. Tremont Street – Solar – Citizens Energy – Revised Landscaping Plan – Mr. Muri asked if anyone had viewed the work done. Mr. Ennis had seen the plantings but noted that in about one year they will need to be trimmed to avoid overgrowth. It should be followed up in one year. Mr. Muri suggested sending a letter thanking the applicant for their response to the planting issue. Ms. Bradley will be asked to send a thank you letter. Mr. Bertozzi suggested a letter just thanking the applicant for their cooperation. Mr. Muri will leave the language up to Ms. Bradley.

3. Gravel Committee Appointment – Mr. Ennis is currently on the Gravel Committee. Mr. Cooper motioned to re-appoint Mr. Ennis as the representative on the Gravel Committee. Mr. Bertozzi seconded the motion. Motion passed.

4. Chapter 61A/B, 56 County Street – Winsor Tripp – Right of First Refusal – Mr. Muri read a memo from the Town Administrator dated October 20, 2015, releasing 16 acres from Chapter 61A/B.

Mr. Moitozo motioned to recommend to the Board of Selectmen that they do not exercise their Right of First Refusal for 56 County Street.

Mr. Cooper seconded the motion. Motion passed.

Not on Agenda:

Mr. Bertozzi wished to make a report regarding the Housing Production Plan and areas that could be identified as suitable for affordable housing. It led to a discussion about water issues. Mr. Jack Hermance who is a resident of Rehoboth as well as a professor of hydrology has been extremely helpful. He supplied material to Mr. Bertozzi from professionals all over North America. Mr. Bertozzi put together a preliminary draft of a regulation on a hydrogeological assessment for residential development with private drinking water wells. Mr. Hermance made a few valuable additions to the regulation. Mr. Bertozzi feels he now has a draft that is sufficient to circulate. He feels the next step may be to have a meeting to address the remaining important issues, such as what triggers the necessity of a hydrogeological investigation. Mr. Bertozzi included “Trigger Criteria” in his report. This regulation will not be for 40B projects only. Mr. Muri suggested a meeting with those town boards/committees as well as the Board of Selectmen who can contribute valuable information on the regulation be in attendance at the meeting, including Mr. Hermance. Mr. Muri stated this would be a public meeting and anyone can attend. A meeting time and location will be scheduled.

Minutes

Invoices

1. Fuss & O’Neill – the Preserve - \$645.83

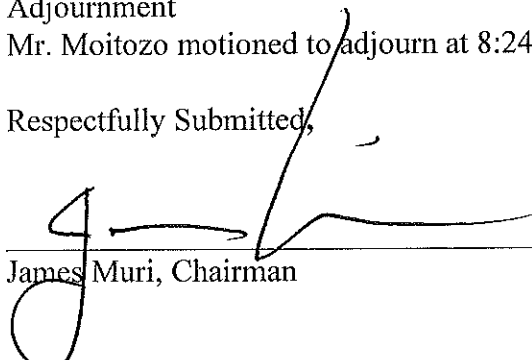
Mr. Moitozo motioned to submit payment to Fuss & O’Neill for \$645.83 for The Preserve

Mr. Ennis seconded the motion. Motion passed.

Adjournment

Mr. Moitozo motioned to adjourn at 8:24 p.m. Mr. Bertozzi seconded the motion. Motion passed.

Respectfully Submitted,

  
James Muri, Chairman