

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



James Muri, Chairman  
Robert Moitozo, Vice Chair  
Edward Bertozzi  
Tomas Ennis  
Christopher Cooper  
Stephen Brooks, Jr.  
William Costa  
Michael Costa, Assoc. Member

**Meeting Minutes  
December 7, 2016  
Town Offices  
148 Peck Street  
Rehoboth, MA 02769  
7:00 PM**

RECEIVED  
17 APR - 6 AM 8:49  
OFFICE OF THE TOWN CLERK  
REHOBOTH, MA

Present: James Muri, Edward Bertozzi, Robert Moitozo, Tomas Ennis, William Costa, Christopher Cooper, Michael Costa

Town Planner -- Leeann Bradley

Absent: Steven Brooks, Jr.

Pledge at 7:05p.m.

**Form A**

1. David Darling – 137 and 141 Cameron Way – 16-23A – Mr. Chris Andrade from Insite Engineering Services LLC was present on behalf of the applicant. He is proposing a Form A with no new lots. Parcel A is being removed from lot 39 and is being conveyed to lot 59, to 58. Mr. Bertozzi motioned to endorse the Form A. Mr. Cooper seconded the motion. Motion passed.

**Public Hearings**

**New Business**

1. Mike Costello - Highway Superintendent – Discussion – Mr. Costello came before the Planning Board to discuss 2 aging sub-divisions in town that have failures in the drainage systems and the structures themselves. Manhole covers are collapsing and he found some raised by 2x4's not bricks. He wants to be more involved with the Planning Board than the previous Highway Superintendent. He intends to conduct inspections of sub-divisions. He is offering his experience and services to the board. The Planning Board was very pleased. Mr. Muri asked if there is anything in the sub-division regulations that should be addressed, and would be benefited by a workshop. Mr. Costello felt that a modification regarding sewer structures was needed. He hopes to conduct more serious storm water evaluations throughout the town. Mr. Muri suggested a workshop the first week of April to discuss sub-division regulation changes for construction standards. Mr. Costello agreed.

2. Recreational Marijuana Sales – Zoning Bylaw Amendment – discussion – Police Chief James Trombetta was present. Mr. Muri began by referring to the Recreational Marijuana Sales law that was recently passed at this year's election. Mr. Muri asked Ms. Bradley to create a draft a proposing zoning bylaw changes that would be similar to the Medical Marijuana zoning bylaw. The bylaw would allow Recreational Marijuana Sales in an industrial district but prohibit it in a residential and business district zone. Chief Trombetta expressed his thoughts concerning the bylaw from a legal and law enforcement standpoint. Mr. Ennis noted that he doesn't believe Recreational Marijuana Sales should be banned in a business district. Chief Trombetta made copies of the law that recently passed and distributed it to the board. He feels the majority of the law pertains to the law enforcement aspect, and the changes that were made. The law is scheduled to go into effect on December 15, 2016. He added that towns are able to enact bylaws to regulate where marijuana retail stores can be located as long as it isn't deemed an unreasonable location. He suggests town counsel review this to make sure it falls within the guidelines. He is in favor of regulating where these retail stores set up shop. Retailers must be licensed to cultivate, sell and distribute. Chief Trombetta stated the town is able to limit the number of marijuana retail stores allowed. Mr. Muri asked the Planning Board for a vote to see if the board should consider modifying the zoning bylaw to prohibit retail sales of marijuana within certain zones. Chief Trombetta reminded the board that marijuana is still considered a federally controlled substance. He feels this type of retail store imposes an increased risk of robberies. Mr. Cooper feels there should be a public hearing on this matter. Mr. Bertozzi asked about driving under the influence of marijuana. Chief Trombetta stated that it is still illegal. There is currently no type of marijuana breathalyzer. They can subpoena a blood sample if needed. He added that generally if someone gets pulled over and they are impaired but do not smell of alcohol, they are assumed to be under the influence of some type of narcotic. They can still perform a sobriety test. Mr. Muri asked how the board felt about the bylaw and any modifications. Mr. Michael Costa stated that they must think about this law going beyond a free standing store. Existing businesses could apply for a license. Mr. Cooper feels the discussion should be opened up to the public for their feedback. A workshop will be held to gauge the opinion of the public. Mr. Muri suggested that February would be a good time for the workshop and still allow time to be placed on the warrant at Town Meeting in the spring.

3. Chapter 61A – Right of First Refusal – 49 Salisbury Street – Hall

Mr. Moitozo motioned to notify the Board of Selectmen they do not recommend exercising their Right of First Refusal for 49 Salisbury St.

Mr. Bertozzi seconded the motion. Motion passed.

4. Chapter 61 – Right of First Refusal – 53 Carpenter Street – Robinson Trust -

Mr. Moitozo motioned to notify the Board of Selectmen they do not recommend exercising their Right of First Refusal for 53 Carpenter St.

Mr. Bertozzi seconded the motion. Motion passed.

Old Business

1. Sign bylaw – Discussion – Some minor typographical changes were made. Mr. Muri asked if on page 5, rotating signs should include clocks. Mr. Bertozzi felt a clock is not a sign. Mr. Muri suggested a clock could be a form of advertisement. Mr. Michael Costa noted on page 7 item 6.5.4.1. (b) Signs Prohibited, should say "of the Zoning Enforcement Officer." These changes will be forwarded to town counsel for review.

2. Hydrogeological Assessment Regulations – Discussion – Mr. Bertozzi made a few minor trigger changes as discussed at the last meeting.

Mr. Bertozzi motioned to send a red line copy of the regulations to the Board of Health and to engage in discussions with the Board of Health as a representative of the Planning Board.

Mr. William Costa seconded the motion. Motion passed.

\*Mr. Bertozzi requested reimbursement for a conference he attended in the amount of \$125.00. Mr. Bertozzi reviewed the information from the conference with the board. He found the conference very helpful. Mr. Muri mentioned a carrying capacity study which is being conducted in New Jersey. Mr. Muri will look into this study and try to get more information for the board.

\*Mr. Steven Brooks Jr. has submitted his resignation from the Rehoboth Planning Board as of 12/30/16. His last meeting will be December 21, 2016. Mr. Brooks is moving out of town and a vacancy will need to be filled.

Mr. Ennis motioned to nominate Mr. Michael Costa as a full member of the Planning Board as of 1/1/17. He will complete Mr. Brooks term which ends 4/3/17.

Mr. Bertozzi seconded the motion. Motion passed.

Mr. Costa will have to run in the next election in April for another 5 year term.

A SRPEDD representative and a Rehoboth Economic Development Committee positions will also need to be filled.

#### Minutes

1.

#### Invoices

1.


#### Adjournment

Mr. Moitozo motioned to adjourn at 9:00p.m.

Mr. Bertozzi seconded the motion. Motion passed.

Respectfully Submitted,

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James Muri, Chairman

  
Robert Moitozo, Vice-Chairman