

**Rochester Conservation Commission
Minutes of January 16, 2024**

Present: Christopher Gerrior, Chairman
Bendrix Bailey, Vice Chairman
Mike Gifford
Carl MacDermott
William Milka
Matthew Bache

Absent: Drew McManus

Merilee Kelly, Conservation Agent
Dawn DeMaggio, Board Administrator
Danielle Craig, Recording Secretary

The meeting convened via Zoom video conference ID # 85196302977. Chairman Gerrior called the meeting to order at 7:01 p.m. The meeting started with everyone reciting the Pledge of Allegiance. He took attendance of members, staff, applicants and representatives and stated the meeting was being broadcast on Zoom and was being recorded.

Public Meetings

DEP SE 272-0587

A Request for an Extension of the Orders of Conditions filed by Steen Realty and Development Corp. for property located at 22 Cranberry Highway, Rochester, MA 02770, Lots 41 C1 & C5 on Assessor's Map 17. The applicant requests an extension of time to exercise the rights granted to the Proponent under the Orders of Conditions issued January 4, 2021.

Agent Kelly stated the applicant is requesting more time on this project.

Member Bailey made a motion to approve an extension of the Order of Conditions for a period of 3 years to January 16, 2027.

Member Bache seconded the motion.

The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)

DEP SE 272-0581

A Request for a Certificate of Compliance filed by Matthew Magalhaes for property located at 443 Neck Road, Rochester, MA 02770, Lot 14 on Assessor's Map 26. The applicant states the work regulated by the Order of Conditions has been satisfactorily completed.

Matthew Magalhaes was present for the meeting via zoom. He stated that all the work under the Order of Conditions has been completed. Agent Kelly stated the work appeared done during her site visit. Mr. Magalhaes also stated he will keep the erosion barriers in place until more vegetation is established per Member Bailey's request.

Member Bailey made a motion to approve the Certificate of Compliance with the condition that the erosion barriers remain until vegetation is established.

Member Bache seconded the motion.

The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)

DEP SE 272-0623

A Request for a Certificate of Compliance filed by Matthew Bache for property located at 536 Snipatuit Road, Rochester, MA 02770, Lot 3 on Assessor's Map 41. The applicant states the work regulated by the Order of Conditions has been satisfactorily completed.

(Member Bache recused himself from this meeting.)

Agent Kelly stated it is just a removable dock in the water. She saw no issues with it.

Member Gifford made a motion to approve a Certificate of Compliance.

Member Bailey seconded the motion.

The motion was passed by a vote of 5 in favor, 0 opposed, 0 abstained. (5-0-0)

(Member Bache resumed his role in the meeting.)

Public Hearings

(Continued from December 5, 2023)

DEP SE 272-0628

A Notice of Intent filed by JPF Development, LLC for property located at 0 & 25 Cranberry Highway & 0 Kings Highway, Rochester MA 02770, Lots 30, 31A, 55, and 56 on Assessor's Map 17. The applicant is proposing the construction of seven self-storage buildings and one office building with associated paved access drives, parking areas, utilities, and stormwater management systems. The work is located within the 100-foot buffer zone to Bordering Vegetated Wetlands. The applicant's representative is Bob Rogers, G.A.F. Engineering, Inc., 266 Main Street, Wareham, MA 02571.

The Applicant has requested to continue this hearing.

Member Bailey made a motion to continue this hearing to February 20th, 2024

Member Bache seconded the motion.

The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)

(Continued from December 5, 2023)

DEP SE 272-0629

A Notice of Intent filed by BWC Snows Pond, LLC for property located at 0 Cushman Road, Rochester, MA 02770, Lot 41A on Assessor's Map 33. The applicant is proposing to construct an approximately 2.39 MW DC single axis tracking solar PV array and associated battery energy storage on the 31.23-acre property with work proposed within the 100-foot buffer zone. The applicant's representative is Andrew Hamel, Weston & Sampson, 55 Walkers Brook Dr., Reading, MA 01867.

Andrew Hamel was present for the meeting. He stated he printed a new set of the most updated site plans for the board members. Only some minor details were changed including storm water management, plantings, and updates for double silt fencing on the eastern and southeastern portion of the property. Member Bailey stated the Planning Board does not see any issues with this project. Chairman Gerrior read the Special Conditions highlights out loud for Mr. Hamel and the Board Members. Bio fuel in hydraulic machinery may be mandatory for this project. Mr. Hamel to get answer on biofuel machinery before an Order of Conditions is issued.

**Rochester Conservation Commission
Minutes of January 16, 2024**

Commission Business

Minutes: November 21, 2023

Member Bailey made a motion to approve the minutes.

Member Bache seconded the motion.

The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)

December 5, 2023

Member Bailey made a motion to approve the minutes.

Member Bache seconded the motion.

The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)

Vouchers: Fileguard, October/November Storage, Invoice 82150, 82215, \$39.00
Conservation Agent, Mileage Reimbursement, \$129.82
Board Administrator, Mileage Reimbursement, \$52.40
Fileguard, December Storage, Invoice 82279, \$19.50

Member Bache made a motion to approve the vouchers.

Member Bailey seconded the motion.

The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)

Review:

FY25 Annual Budget Requests

Agent Kelly stated she put last year's budget in the drop box. The budget is the same for this year with the addition for the step increase of the Board Administrator. Member Bailey suggested the surplus money from last year's budget be used for opening and clearing up the channel for Hartley Mill Pond to help improve the herring population and movement through the river. Agent Kelly stated she would follow up with an engineering firm to get pricing.

Member Bailey made a motion to recommend the Select Board accept this budget for approval at the Town Meeting.

Member Bache seconded the motion.

The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)

Notice of Intent to Release Property from M.G.L. c61B, 0 Featherbed Lane, Assessor's Parcel 46-24.

Agent Kelly stated it's a small parcel, roughly 2 acres. Property owners are just trying to square off the property of the solar project.

Member Bailey made a motion to recommend the Select Board not acquire this property.

Member Bache seconded the motion.

The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)

**Rochester Conservation Commission
Minutes of January 16, 2024**

Rochester Code of Conduct

Chairman Gerrior asked if the Board Members disagreed with anything they read on the Code of Conduct. Board members stated they didn't seem to have any issues. Chairman Gerrior stated he is concerned with some of the language used within the Code. The Planning Board will give feedback to the Select Board that some language may impede upon First Amendment rights. Chairman Gerrior will draft a letter with concerns.

Comments on Tri Town Select Board meeting

(Red Brick Farm East- Conservation Restriction Agreement)

Chairman Gerrior stated he will draft a letter to the Select Board to pursue this topic and request to add it onto next meeting's agenda. The Conservation Commission will request to be invited to any upcoming meeting where this topic is discussed.

Future Business The next meeting of the Conservation Commission will be held on February 6, 2024.

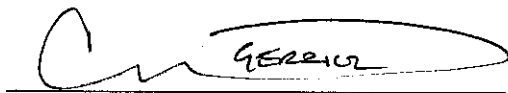
Adjournment

Member MacDermott made a motion to adjourn the meeting at 8:03pm.

Member Bache seconded the motion.

The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)

Date: 66 FEB 2024



Christopher Gerrior, Chairman



Danielle Craig, Recording Secretary