

**Rochester Conservation Commission
Minutes of February 20, 2024**

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

Absent:

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

The meeting convened via Zoom video conference ID # 830 4496 4939. Chairman Gerrior called the meeting to order at 7:00 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 272-0586

A Request for a Certificate of Compliance filed by Matthew N. & Jennifer L. Porter for property located at 169 Clapp Road, Rochester, MA, 02770, Lot 5A on Assessor's Map 11. The applicant states the work regulated by the Order of Conditions has been satisfactorily completed.

Agent Kelly stated the property owners built a pool and cabana /pool house. There are no incursions into the wetlands and everything is completely done.

Member Bailey made a motion to approve the request for a Certificate of Compliance.

Member Bache seconded the motion.

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

Public Hearings

(Continued until February 20, 2024)

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 requested a continuance to March 5th, 2024.

Member Bache made a motion to continue the hearing on March 5, 2024.

Member Bailey 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 February 20, 2024**

(Continued from February 6, 2024)

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 associate 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.

Member Milka gave his thoughts and views on bio fluids. In his professional experience he has always been able to contain spills within a small area. Financially, the bio fluid machinery is expensive, especially for small business owners. Member Gifford asked what the safe distance is for these types of machinery to bodies of water. Member Milka stated that rather than narrowing down the distance, a more realistic request would be requiring a clean up plan in case of a spill. Also, for any work done in water, plastic booms can be used to contain the fluids. Chairman Gerrior stated that requiring bio fluid machinery as a condition may have negative effects for the applicant and the contractors they hire. He also stated that in the pre-construction meeting process, a clean up plan could then be presented by the applicants.

Member Bache made a motion to approve a modification to the Order of Conditions, removing the requirement for bio fluids machinery.

Member Bailey seconded the motion.

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

Member Bailey made a motion to close the public hearing.

Member Bache seconded the motion.

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

New Business

W. D. Watling – Mattapoissett River

Mr. Watling, the Herring Inspector, was present at this meeting. Member Bailey gave a brief review on their recent site visit to Hartley Farm Pond and Mattapoissett River. The main concern is that during the summer months, Hartley Farm Pond becomes completely over run by vegetation, making it mostly impassable for the herring to run through, thus diminishing the herring population. The proposal would be to run a study with Mass Wildlife and the DEP to talk about building a new canal from Snipatuit Road to the "Bypass Canal". There has been a decline in the herring count per reports within town. Mr. Watling stated he will send an annual report on the herring counts to the Conservation Commission. Mr. Watling stated he would send a letter of endorsement for this project to Agent Kelly for her to include in the request to Mass Wildlife and DEP. The Conservation Commission will investigate further into what permits and permissions will be required and can be acquired for this project.

Commission Business

Minutes: February 6, 2024

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)

Rochester Conservation Commission
Minutes of February 20, 2024

Vouchers: Fileguard, January Storage, Invoice #82343, \$19.50
Massachusetts Association of Conservation Commission, Fundamentals Unit 105 - Gifford,
Invoice # 200013650, \$65.00

Member Bailey made a motion to approve the vouchers.

Member Bache seconded the motion.

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

Signatures: Bluewave Solar/ BWC Snows Pond, LLC, 0 Cushman Road– Special Conditions

Member Bache made a motion to approve a modification to the Order of Conditions removing the requirement for bio fluids in construction machinery.

Member Bailey seconded the motion.

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

Agent Update

Buzzards Bay Coalition – Annual monitoring visit Red Brick Farm East property

Agent Kelly stated a letter was received stating the monitoring of Red Brick Farm east property. This is just to check for any changes and to ensure there are no encroachments on the property. The Conservation Commission members are invited to join this monitoring, on March 7th, 2024, at 10:00 AM.

Agent Kelly gave an update on the Enforcement Order given to a residence on Snipatuit Rd. She presented photos showing clearing of trees that seem to be within the wetland buffer zone. Agent Kelly still has not gotten a response to her letters from the property owners. She is preparing an Enforcement Order requesting a Notice of Intent. Agent Kelly will monitor the property to ensure no further work is being done until a Notice of Intent is received and approved. If there is no response from the property owners by the next Conservation Commission meeting, the Commission will begin issuing fines.

Chairman Gerrior read specific tasks on the Master Plan for the Commission to review. Each member reviewed and gave their input to submit to Planner Durfee.

Future Business The next meeting of the Conservation Commission will be held on March 5, 2024.

Adjournment

Member Bache made a motion to adjourn the meeting at 8:02pm.

Member Bailey seconded the motion.

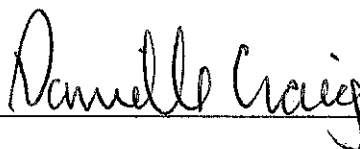
The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)

Rochester Conservation Commission
Minutes of February 20, 2024

Date: 19 MAR 2024

A handwritten signature in black ink, appearing to be 'C Gerrior', written over a horizontal line.

Christopher Gerrior, Chairman

A handwritten signature in black ink, appearing to be 'Danielle Craig', written over a horizontal line.

Danielle Craig, Recording Secretary