

**Rochester Conservation Commission  
Minutes  
June 20, 2023**

**Present:** Christopher Gerrior, Chairman  
Bendrix Bailey, Vice Chairman  
Matthew Bache  
Bill Milka  
Mike Gifford  
Carl McDermott

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

The meeting convened via Zoom video conference ID #886 9586 6031. 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 broadcasted on Zoom and was being recorded.

**Public Meeting**

**SRPEDD – Rhiannon Dugan, Master Plan**

Rhiannon Dugan, Master Plan and Project Manager from SRPEDD for the Town of Rochester, was present for the meeting. SRPEDD is starting to gather information from each Town Department to help create a new Master Plan. She prepared list of tasks and questions based on the plan created in 2009. Board members answered her questions.

**A Conservation Restriction on Red Brick Farm East, for property owned by the Mattapoisett Water and Sewer Department, located on the East Side of Long Plain Road and North Side of Wolf Island Road (Vacant Land) Mattapoisett and Rochester, MA.**

Two representatives, Brendan Annett from Buzzard's Bay Coalition, and Henry Renaud representing the Mattapoisett Water Department, were present for the meeting. They are looking to obtain 13 acres of Rochester land to include in their 247-acre project abutting the Mattapoisett River, as well as, hold a "Conservation Restriction" with the town of Rochester Conservation on this 13-acre parcel. Member Bailey stated, in their previous conversation, that he requested a Purchase and Sales agreement from the Coalition that would allow Rochester the right to purchase back the land. The representative from Mattapoisett stated they cannot create a Purchase and Sales agreement due to the deadlines, restrictions, and guidelines under the grant from the state. Mr. Renaud does agree to create and sign a document that states they will not put any wells and must allow for full permission from the Town of Rochester Conservation Commission for if and when they wish to perform any work on the 13 acres. Member Bailey stated he understands their position and requested that a Letter of Intent be created and signed that states Mattapoisett Water Department will make every attempt to transfer the land back to Rochester Conservation Commission in the amount of \$1.00 if the state allows it. Both representatives agreed to this request. The Conservation Commission will sign the document from the Conservation Restriction agreement, upon issue of the Letter of Intent.

A motion was made by Member Bailey to vote to sign the document required by Buzzards Bay Coalition for a grant with the stipulation that it be held by the Conservation Agent until she receives a document from the Mattapoisett Water Department that assures they will never put a well on the property and further that every

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Attempt is made to transfer the land from the town of Mattapoisett Water Department to the Rochester Conservation Commission in the amount of one dollar.

The motion was seconded by Member Bache.

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

**DEP File # SE 272-306 A Request for a Certificate of Compliance by Chris and Cynthia Donley for property located at 69 Paradise Lane, Rochester MA 02770, designated as Lot 6 on Assessor's Map 11A.**  
The applicant has completed a single-family residence along with septic system, well and established lawn area.

Agent Kelly stated that the property was "pristine". There is about a 20ft area buffering the wetlands and the woods look undisturbed.

Member Bailey made a motion to issue 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)**

**Commission Business**

**For Signature**

**Minutes:** May 16, 2023, June 6, 2023

Member Bache made a motion to approve the minutes.

Member Milka seconded the motion.

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

**Vouchers:** Fileguard / May Storage / Invoice 81741 / \$19.50

Member Bache made a motion to approve the voucher.

Member Gifford seconded the motion.

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

**Buzzards Bay Coalition / Grant / \$70,000.00**

A motion was made by Member Bailey to approve the voucher for a grant with the stipulation that it be held by the Conservation Agent until she receives a document from the Mattapoisett Water Department that assures they will never put a well on the property and further that every attempt is made to transfer the land from the town of Mattapoisett Water Department to the Conservation Commission in the amount of one dollar.

The motion was seconded by Member Bache.

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

**Old Business**

89 Box Turtle Drive

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Attorney Timothy Angsley, legal representative for 89 Box Turtle Drive was present for the meeting. He stated they have hired a new engineer who will be doing a site visit within the next week. They are confident the new engineer will be able to create a new restoration plan that will satisfy the board. Member Bailey asked about the No Trespass order on the Conservation Agent and Conservation Commission members. Attorney Angsley stated they do plan to lift the No Trespass for Agent Kelly, but are hesitant to lift it for the Conservation Board members. Member Gifford stated that if the No Trespass order was lifted for the Conservation members, it could help the applicants to expedite their work by providing helpful information as to what needs to be done during a site visit. Member Bailey stated they will not move forward until the Conservation Agent and all members of the Conservation Commission are allowed to visit the property. Attorney Angsley stated he will speak to his clients about lifting the No Trespass order. Due to the presence of a representative for 89 Box Turtle Drive, the Conservation Commission will not issue any fines.

### **Agent Update**

Agent Kelly stated she received a call asking if the Conservation Commission was interested in a presentation from Fish and Wildlife about the new BioMap during a meeting. This is an electronic presentation that allows you to view each parcel of land in town and view information about it. The board members agreed they would be interested.

Next meeting will be held on July 18, 2023.

### **Adjournment**

Member Bailey made a motion to adjourn the meeting at 8:17pm.

Member Milka seconded the motion.

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

Date: 18 JULY 2023

  
Christopher Gerrior, Chairman

  
Danielle Craig, Recording Secretary