

**Rochester Planning Board
Minutes of March 10, 2020**

Present: Arnold Johnson, Chairman
Gary Florindo, Vice Chairman
Bendrix Bailey, Clerk
Michael Murphy, Associate Clerk
Lee Carr
John DeMaggio
Chris Silveira

Absent:

Steven Starrett, Town Planner
Tanya Ventura, Recording Secretary

Chairman Johnson called the meeting to order at 7:03 p.m. at the Town Hall Meeting Room and made everyone aware that the meeting was being televised and recorded via digital audio recorder.

BOARD BUSINESS

Vouchers

A motion to approve a voucher for W.B. Mason Invoice# 208235924, supplies for Board Administrator in the amount of \$16.04 was made by Clerk Bailey and seconded by Member Carr. **The motion passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

A motion to approve a voucher from Field Engineering Co., Inc. regarding Old Middleboro Road solar project in the amount of: \$3,025.00 was made by Clerk Bailey and seconded by Associate Clerk Murphy. **The motion passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

Minutes

A motion to accept the minutes of February 12, 2020 was made by Member Carr and seconded by Associate Clerk Murphy. **The motion passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

For Signature

A motion to approve the contract from Field Engineering for Peer Review services was made by Clerk Bailey and seconded by Member Carr. **The motion passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

INFORMAL DISCUSSION:

Clean Energy Collective, Sarah Sherman Road

Greg Carey and Doug Carton from Clean Energy Collective along with Evan Watson of Prime Engineering were present on this matter. Mr. Carey gave a brief background of the project. He discussed the owner of 139 Sarah Sherman Road is Mr. Bill Souza. He discussed that Clean Energy Collective plans to lease approximately 4.5 acres on the Western half of the property and

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the size of the project is about 1 megawatt. He reported that a site visit was conducted about a year ago and the Conservation Commission approved an ORAD regarding the wetlands and will be required to file a Notice of Intent.

Mr. Watson pointed out the updated plans that were submitted the previous year on the Samsung Flip. They have an existing conditions plan and proposing to do work in the back of the property. There is an open field that would require very little tree cutting and located 100 feet away from all property lines. There is an existing curb cut to get to the access road and site plans include comments from previous site visit. The property does have a couple of sheds that would need to be taken down and they have added a stockade fence to the plans. They had a tech review meeting with Conservation and Highway Department, who approved the access road. Clean Energy Collective and the owner agreed to create an easement.

Chairman Johnson asked if the access point will be through the easement of part of the leased area. Mr. Watson responded it would be a separate easement. Chairman Johnson explained Town Counsel has been requiring the Town be named in the easement.

(Member DeMaggio arrived at 7:22 p.m.)

Vice Chairman Florindo advised the chain-link fence should be black. Mr. Watson stated yes and the existing vegetation on the Souza's property will be left alone and add an easement

Clerk Bailey asked for clarification on the double yellow lines located on the legend of the plans. Mr. Watson explained the inner yellow line is the 25 Foot No Disturb zone and the outer yellow line is the 100 Foot Vegetated Buffer Zone. He stated that construction would be done outside of the buffer zones.

Town Planner Starrett and Chairman Johnson advised to do the site lines through the access point on the plans.

Chairman Johnson explained the fee for the peer review 53 account is \$3,000 along with the filing fee of \$200.00 and \$60.00 for the legal advertisement in the Wanderer.

(Member Silveira arrived at 7:32 p.m.)

Beals & Thomas, Snipatuit Road Solar Array

Eric Las of Beals & Thomas explained they made changes to the plans after the tech review meeting. The project consists of a 4.8 megawatt ground mounted large scale solar located on Pauline Way & Snipatutit Road. Project entails separate parcel ownership which has 1 megawatt on the North side of the property and about 4 megawatts on the South. Upland and Wetland areas have been confirmed through ORADS with the Conservation Commission. Located around the property is a path for horseback riders and the intent is to maintain that path. Mr. Las explained one of the biggest changes from the tech review is to maintain the 100 foot set back. They will submit plans to the Mattapoisett River Valley Commission, file an application with MEPA, and have been working with Natural Heritage to understand mitigation issues.

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Chairman Johnson asked if the access road will be solid to allow fire trucks to enter without any issues. Mr. Las explained they will have tracking pads and a car path that already exists. Chairman Johnson stated they will have to add 40 Foot pavement as a requirement.

Vice Chairman Florindo asked if they will have to move any material off of the property and if so, they will need to file with the Soil Board. Mr. Las responded saying they do not see any removal at this point.

Beals & Thomas, Featherbed Lane Solar Array

Mr. Las explained they had filed an ANRAD with the Conservation Commission and updated the array layout. This project is a linear North to South array with about 6.5 megawatts on 110 acres. Due to the subdivision of land, the project will require fencing on the second property and maintain a 100 Foot setback. Mr. Las explained they have done test pits, believes no off site mitigation will be necessary for Natural Heritage, and will submit an application with MEPA and the Conservation Commission. Joe Harrison of SunRaise Investments announced they sent letters to surrounding abutters to encourage the residents to ask questions.

Chairman Johnson asked about the fencing around basins. Mr. Las responded they will eliminate that aspect of the basin fence.

Caroline Booth of Beals & Thomas noted the assessor's office is working with them to provide an accurate abutters list.

Beals & Thomas, Featherbed Lane South Solar Array

Eric Las explained this project has changed the most since the tech review. They are now maintaining a 300 Foot setback on the entire Western side of the project. The size of the project is about 2.2 megawatts and now there will be a much wider buffer on the Western side. The overall site is 59 acres with a larger wetlands system. Mr. Las noted they will be working on 10-11 acres within the property and one storm water basin. Due to the size of the project, the construction process should be much shorter.

Vice Chairman Florindo asked if the property has any utility poles or if they will require new poles to be installed. Mr. Harrison responded they do have poles and Eversource will do the work to update them from single phase one line to three phase poles.

Beals & Thomas, Cushman Road Solar Array

Mr. Las reviewed the plans of the proposed project on Cushman Road. He stated it is a 3.7 megawatt solar array located on 57 acres. The access from Robinson Road is 2,400 feet and the wetland boundary has been approved by the Conservation Commission. The setbacks are 100

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feet from all abutting properties. He noted they have not done test pits on the site just yet but plan to. In terms of the access, a separate ANRAD will need to be filed with the Conservation Commission. Mr. Las explained there are no rare species on the site therefore no MEPA ENF or Natural Heritage filing is needed.

Chairman Johnson asked about possibly locating another access point from the road. Ms. Booth stated that access point has extensive wetlands and the impact would be drastic

Town Planner Starrett asked about the sub stations required and asked about the time frame. Mr. Harrison explained the Rochester substation needs to be updated and should take about a year. They are currently doing the impact study with Eversource, working with Natural Heritage, Conservation Commission, and MEPA, and believe s about 6 to 8 months before the project breaks ground.

Chairman Johnson stated they will need to file each project separately. The fee for Field Engineering 53G account is \$3,000 along with advertising and filing fees. Town Planner mentioned the two rows of stump grindings. Mr. Las responded that stump grindings are available during the construction period only to slow the water down. Chairman Johnson stated they would like a timeline as to how long they will be on the site.

Mr. Harrison explained that once they receive their final permit, they will submit a block to the solar company. From there, they will have 12 to 18 months to become fully constructed.

PUBLIC HEARINGS

REOPEN A Large Scale Photovoltaic Installation Special Permit application was filed by Pedro Rodriguez of Solar MA Project Management LLC, 143 West Street, Suite C201, New Milford, CT 06776 for properties located at 0 Walnut Plain Road/0 Old Middleboro Road, designated as Map 22, Lot 3 and Map 23, Lots 6, 6D, 7, 21, 23, and 31. The property owners of record are Decas Cranberry Co., Inc., 4 Old Forge Drive, Carver, MA 02330, Diana Murphy, Trustee Midchester Realty Trust, 24 Old Powerhouse Road, Lakeville, MA 02347, and MWH, LLC. 405 Washington Street, Braintree, MA 02184. The applicant proposes the construction of a ground-mounted photovoltaic solar array generation facility and roadway improvements to Old Middleboro Road, an unpaved road that provides access to the array.

Chairman Johnson reopened the hearing to accept new plans.

A motion to reopen the hearing was made by Clerk Bailey and seconded by Member Carr. **The motion passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

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Chairman Johnson explained the draft decision had been amended and added a special condition regarding blasting. He stated blasting is not allowed without prior authorization from the Planning Board. Chairman Johnson also noted that in general demolition takes place during the set hours of operation provided by the Planning Board. Pedro Rodriguez of Seaboard Solar mentioned he added the hours of operation as a general condition but only follows what is listed on the decision from the Planning Board.

Chairman Johnson discussed the Construction sequence on the plan, particularly about Old Middleboro Road. Mr. Rodriguez stated they were going to improve Old Middleboro Road with respect to the access road but it would not be finished all the way. Therefore, they are going to do erosion controls to begin construction and improve the road as they go. Chairman Johnson asked that they submit a detailed construction plan. He would like to see the construction sequence that mimics decision.

A motion to close the public hearing was made by Clerk Bailey and seconded by Associate Clerk Murphy. **The motion passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

A motion to approve the decision was made by Clerk Bailey and seconded by Associate Clerk Murphy. **The motion passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

Chairman Johnson Arnie asked if they ran a model regarding the access road near the stone wall and if fire trucks were able to get around it. Mr Rodriguez responded yes and it does work.

Town Planner Starrett asked a question regarding the timeline for construction. Mr Rodriguez stated they are working with the Conservation Commission to finalize that permit and to receive approval from the SMART program before they can begin. He mentioned about 2 to 3 months and hopes construction can begin this summer.

***(Continued from February 25, 2020)* A Cranberry Highway Smart Growth Overlay District application was filed by Steen Realty & Development, 3 Ledgewood Boulevard, Dartmouth, MA 02747, for the construction of a mixed use development under MGL Chapter 40R for properties located at 22 Cranberry Highway, designated as Lots 41C and 50 on Rochester Assessors Map 17. The applicant proposes the construction of a development consisting of 208 residential units and commercial space within the Cranberry Highway Smart Growth Overlay District. The applicant's representative is Allen & Major Associates, Inc., 10 Main Street, Lakeville, MA 02347. The property owner of record is Rochester Crossroads, LLC, 158 Tihonet Road, Wareham, MA 02571.**

Phil Cordeiro of Allen & Major and Mr. Ken Steen from Steen Realty and Development were present. Mr. Cordeiro provided an update to the Planning Board. They received approval letter from MEPA along with traffic comments from GPI. They are corresponding with GPI, revising plans, and will be submitting a response back to GPI. Currently they are waiting on the peer review report from Field Engineering regarding waivers requested.

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Chairman Johnson asked about the future annual growth rate assessment and who developed this on behalf of the Town of Rochester. Mr. Cordeiro stated he is unsure who it is but will confirm it.

Chairman Johnson mentioned the second access point and if they have come to terms with Seasons regarding this access point. Mr. Cordeiro stated Mr. Steen and Seasons are in discussions about the access point, have offered a separate access point but this did not work, and nothing has happened since. Mr. Steen responded saying there are a few possibilities regarding the access point on the table and hoping to have this resolved before the next meeting with the Planning Board.

Chairman Johnson mentioned we all need to agree to the access point as well as Season's and Steen Realty.

Vice Chairman Florindo added some advice regarding the access point that he has seen at other apartment complexes. Mr. Steen stated under the 40R Smart Growth District they have restrictions and are limited in what they can do.

A motion to continue the Public Hearing to March 24, 2020 was made by Member DeMaggio and seconded by Member Carr. **The motion passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

ADJOURNMENT

A motion to adjourn at 8:38 p.m. was made by Member DeMaggio and seconded by Associate Clerk Murphy. **The motion was passed by a vote of 7 in favor, 0 opposed, 0 abstained (7-0-0).**

Tanya Ventura, Recording Secretary

Arnold Johnson, Chairman