

**Rochester Planning Board
Minutes of April 14, 2020**

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

Absent: Gary Florindo, Vice Chairman

Steven Starrett, Town Planner
Marissa Perez-Dormitzer, Recording Secretary

The meeting convened by video conference via Zoom. Chairman Johnson called the meeting to order at 7:02 p.m. and made everyone aware that the meeting was being recorded. Chairman Johnson took attendance of Members and stated that votes would be taken by roll call.

BOARD BUSINESS

Vouchers

Chairman Johnson reported he signed the vouchers.

A motion to ratify the Chairman's signatures on the vouchers included in Members' packets was made by Clerk Bailey and seconded by Member Carr. **The motion passed by in a roll call vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

PUBLIC HEARINGS

1. ***(Continued from March 10, 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.

Chairman Johnson reported the applicant requested a continuance to the next meeting on April 28, 2020. He stated the applicant is hoping to receive direction from the peer review and working through access with Seasons Gas Station. Town Counsel Bailey noted they are working on a resolution for the access before coming back to the Board.

A motion to continue the Public Hearing was made by Clerk Bailey and seconded by Member DeMaggio. **The motion passed in a roll call vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

2. **Large Scale Photovoltaic Installation Special Permit Application, Special Permit Application for Groundwater Protection, and Application for Scenic Highway filed by Braley Hill North Solar, LLC, Beals and Thomas, Inc., 144 Turnpike Road, Southborough, MA 01772 for property located at 0 Braley Hill Road, designated at Map 48, Lots 32 and 36.**

Joe Harrison of SunRaise Investments LLC; Lisa Holden and Leslie Bonaz, property owners; and Eric Las, Principal of Beals and Thomas Inc. were present via video conference or phone.

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Mr. Las explained the project is a 9.5 MW DC solar installation on two parcels of approximately 100 acres total. He reported they had a tech review in December 2019 and an informal meeting with the Planning Board in January 2020. They incorporated the feedback into the plans and then submitted their application in early March. The most recent plans are dated March 30, 2020 and include feedback from Town Planner Starrett. Mr. Las shared his screen showing the plan set.

Mr. Las reported they added special notes regarding removal or alteration of stone walls and that all machinery will be fueled by biofuel since they will be working within the Groundwater Protection District. He provided an overview of the site and adjacent properties. They added a detailed inset for the construction site entrance as requested by the Board. Mr. Las stated the perimeter sedimentation controls will include a separate silt fence, a compost filter sock, and temporary wood chip berms. They plan to have a grass surface below the panels. The two proposed stormwater basins will be used as sedimentation basins during construction.

Mr. Las explained they are avoiding a direct line of site from Braley Hill Road to the array. The grade rises going into the site and a large part of the array is on the downslope side. He noted there will be a 100 feet setback from the fence to the property line in the north and the south. He pointed out the location of the battery storage, inverters, and electrical equipment on the western side of the site outside the Groundwater Protection District. There is a 100 feet setback on both sides of the two parcels as requested by the Board. A proposed ring road can accommodate tractor trailers and ladder trucks. Mr. Las stated a small amount of grading will be needed and no landscaping is proposed. He mentioned they had four possible waiver requests. One waiver request is for the landscape maintenance bond since there is no landscaping. Mr. Las was not sure if they needed to request a waiver for the landscape plan.

Chairman Johnson asked why there are notes about how to plant a tree if they are not doing landscaping and suggested removing the notes for the final plan set.

Mr. Las reported that an upgrade to 3 phase power would provide additional service reliability for some residents. He stated they provided a letter to the Board from a certified forester with the timber value assessment of just under \$20,000. Mr. Las reported they estimated the decommissioning bond amount of \$302,000 and \$750 to \$1,500 per year for the operation and maintenance bond to maintain the stormwater management system.

Chairman Johnson suggested they select a time frame for calculating the decommissioning bond. He noted the lease is 20 years, while the solar panels have a 25-30-year life. Mr. Las responded that since the lease term is 20 years, that would be the number. Chairman Johnson suggested they look at the trucking cost in the decommissioning bond because it assumes a 1-mile trip to the transfer station. Mr. Las stated the calculation was based on the IRS means book and they can revisit it.

A motion to continue the Public Hearing to April 28, 2020 was made by Clerk Bailey and seconded by Associate Clerk Murphy. **The motion passed in a roll call vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

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BOARD BUSINESS

Repurpose Properties, LLC/The Village

(Member Carr recused himself.)

A motion to approve the Decision for Repurpose Properties, LLC/The Village was made by Clerk Bailey and seconded by Associate Clerk Murphy. **The motion passed in a roll call vote of 5 in favor, 0 opposed, 0 abstained (5-0-0).**

(Member Carr resumed his role in the meeting.)

Connet Woods: Street Acceptance and Schedule Site Visit

Chairman Johnson reported that Ken Motta of Field Engineering issued a final report. He stated Members need to go on a site visit to verify the information. Town Counsel Bailey stated the Planning Board needs to report back to the Board of Selectmen and then Town Meeting would vote to approve the acceptance. Chairman Johnson noted that Town Meeting will be delayed until at least the middle of June and that it may only cover budgetary items. Town Counsel Bailey suggested Members could visit the site individually. Members agreed to wait until May 4, 2020 to see if Governor Baker lifts the stay at home advisory. Town Planner Starrett mentioned the Board of Selectmen will need time to hold a Public Hearing. Chairman Johnson noted that waiting until May 4, 2020 would not impact the scheduling for Town Meeting.

Affordable Housing for Seniors

Chairman Johnson asked Clerk Bailey if he had gathered any information regarding senior housing in other communities. Clerk Bailey responded no. Chairman Johnson asked Town Counsel Bailey if had worked on the bylaw proposed by Richard Cutler of Rochester Affordable Housing, Inc. Town Counsel Bailey responded that had had completed a draft and will send it to Chairman Johnson.

Flood Plain Amendment

Chairman Johnson reported the Planning Board needs to schedule a Public Hearing on the flood plain amendment. He noted they cannot put it on their docket because they have to ensure that 65 days don't elapse between the Public Hearing and Town Meeting. Town Counsel Bailey stated he received a letter from FEMA indicating they will not extend the date on their flood maps regardless of the current situation. He explained if the Town does not approve the new flood maps, all property owners covered by flood insurance would lose coverage.

TOWN PLANNER UPDATES

Town Planner Starrett stated he received two new applications. Chairman Johnson explained he did not want to open any public hearings because he was concerned about abutters not having a good forum. Clerk Bailey asked if the Board is discriminating by allowing one hearing but not another. Town Counsel Bailey responded that they are not discriminating if they are finishing up hearings. He noted the Board could open a hearing and not close it. Town Planner Starrett stated the applicants were not pressing to move forward. Town Counsel Bailey cautioned if the Board delays opening all new applications, it will have a full docket once regular meetings resume. He suggested opening hearings and sending them out for peer review with Mr. Motta.

Chairman Johnson stated an applicant may call and request to see the plans and documents. He asked how that would work. Town Counsel Bailey stated there were various options. He explained the Conservation Commission is emailing final decisions to their Members to sign and return and

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that the Registry of Deeds is accepting multiple signature pages. Town Counsel Bailey explained he would prefer digital signatures, but the Registry of Deeds has not made it clear they will accept them. There was discussion about how Members could sign decisions similar to the Conservation Commission and either drop them off at the Town Hall Annex or mail them. Chairman Johnson suggested moving forward with the applications and scheduling them for the first meeting in May.

Clerk Bailey asked Town Planner Starrett the status on signing up for a business account in Dropbox program to help resolve storage issues. Town Planner Starrett responded that he will have it fixed in a couple of days. There was more discussion about the type of account needed.

ADJOURNMENT

A motion to adjourn at 8:10 p.m. was made by Member DeMaggio and seconded by Member Carr. **The motion was passed in a roll call vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

Marissa Perez-Dormitzer, Recording Secretary

Arnold Johnson, Chairman