

**Rochester Planning Board  
Minutes of August 25, 2020**

**Present:** Arnold Johnson, Chairman  
Gary Florindo, Vice Chairman  
Bendrix Bailey, Clerk  
Lee Carr  
John DeMaggio (*arrived at 7:09 p.m.*)

**Absent:** Michael Murphy, Associate Clerk  
Chris Silveira

Steven Starrett, Town Planner  
Tanya Ventura, Board Administrator  
Marissa Perez-Dormitzer, Recording Secretary

The meeting convened in-person and via Zoom Meeting ID 880 1536 7100. Most of the Members joined in-person at the Rochester Memorial School. Member Carr joined via Zoom. Chairman Johnson called the meeting to order at 7:06 p.m. and stated the meeting was being recorded.

**BOARD BUSINESS**

**Minutes**

A motion to approve the minutes of the July 28, 2020 meeting was made by Clerk Bailey and seconded by Vice Chairman Florindo. **The motion passed by a vote of 4 in favor, 0 opposed, 0 abstained (4-0-0).**

A motion to approve the minutes of the August 11, 2020 meeting was made by Clerk Bailey and seconded by Vice Chairman Florindo. **The motion passed by a vote of 4 in favor, 0 opposed, 0 abstained (4-0-0).**

**Vouchers**

A motion to allow the Chairman to sign the vouchers was made by Vice Chairman Florindo and seconded by Clerk Bailey. **The motion passed by a vote of 4 in favor, 0 opposed, 0 abstained (4-0-0).**

A motion to approve a voucher for Staples/Office Supplies for the Board Administrator in the amount of \$129.67 was made by Clerk Bailey and seconded by Vice Chairman Florindo. **The motion passed by a vote of 4 in favor, 0 opposed, 0 abstained (4-0-0).**

A motion to approve a voucher for Field Engineering Co., Inc./Cranberry Highway/Invoice# 13797 in the amount of \$1,125.00 was made by Clerk Bailey and seconded by Vice Chairman Florindo. **The motion passed by a vote of 4 in favor, 0 opposed, 0 abstained (4-0-0).**

*(Member DeMaggio arrived at 7:09 p.m.)*

**PUBLIC HEARINGS**

***(Continued from August 11, 2020)*** A Large Scale Photovoltaic Installation Special Permit Application and Special Permit Application for Groundwater Protection, filed by Snipatuit Road Solar, LLC, Beals and Thomas, Inc., 144 Turnpike Road, Southborough, MA 01772 for property located at 0 Snipatuit Road, designated at Map 46 and 47, Lots 1, 4, 9, 9A, 26, and 27. The applicant proposes the construction of a ±4.8 MW DC Ground-Mounted Solar Photovoltaic Array within the Residential/Agricultural District. The Property is also within the Mattapoissett River Valley Watershed and partially within the Groundwater Protection District and the Floodplain

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Overlay District. The property owners of record are Lisa Holden, Trustee, Rochester Realty Trust and Aquidneck Nominee Trust, ET AL, and Kevin J. and Cassandra A. Cassidy. The applicant's representative is Eric Las, Beals and Thomas, Inc., 144 Turnpike Road, Southborough, MA 01772.

Chairman Johnson stated the applicant requested a continuance to September 8, 2020.

A motion to approve the request for a continuance to September 8, 2020 was made by Clerk Bailey and seconded by Member DeMaggio. **The motion passed by a vote of 5 in favor, 0 opposed, 0 abstained (5-0-0).**

***(Continued from August 11, 2020)*** A Special Permit Application for a Ground-Mounted Solar Photovoltaic Array within the Residential/Agricultural District, a Special Permit Application for Groundwater Protection filed by Featherbed Lane South Solar, LLC, Beals and Thomas, Inc., 144 Turnpike Road, Southborough, MA 01772, for property located at 0 Featherbed Lane, Rochester, MA 02770, designated as Lots 24 on Assessor's Map 46. The proposed project includes the installation of a large-scale ground-mounted solar array and associated access road, perimeter fence, storm water management systems, and grading located in the residential/agricultural district. The property owner of record is Judith Dupont, 123 Rounseville Road, Rochester, MA 02770. The applicant's representative is Eric Las, Beals and Thomas, Inc., 144 Turnpike Road, Southborough, MA 01772.

Chairman Johnson stated the applicant requested a continuance to September 8, 2020. He reported that Ken Motta had issued a second peer review letter. Eric Las of Beals and Thomas, Inc. submitted a response that day. Mr. Motta had not yet addressed the response.

A motion to approve the request for a continuance to September 8, 2020 was made Clerk Bailey and seconded by Member DeMaggio. **The motion passed by a vote of 5 in favor, 0 opposed, 0 abstained (5-0-0).**

***(Continued from July 28, 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 resubmitted a waiver request that needs to be reviewed by Mr. Motta. To give time for the review and the ongoing discussions on the Route 58 entrance, the applicant requested a continuance to the next meeting on September 8, 2020.

A motion to continue to the next meeting on September 8, 2020 was made by Member DeMaggio and seconded by Clerk Bailey. **The motion passed by a vote of 5 in favor, 0 opposed, 0 abstained (5-0-0).**

***(Continued from August 11, 2020)*** A Special Permit Application for the installation of an agricultural canal canopy solar array within the Residential/Agricultural District, filed by

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**Renewable Energy Development Partners, LLC, c/o Hank Ouimet, 99 Derby Street, Suite 200, Hingham, MA 02043 for property located off Pierce Street, known as Eldredge Bogs designated as Lots 8, 8A, 9A on Assessors Map 12 and Lots 6, 10D, 12, 13, and 31 on Assessors Map 13.** The applicant proposes a two-phased project on Land in Agricultural for the creation of more efficient agricultural bypass canals in portions of the bogs and existing uplands, along with the installation of a  $\pm$  1.5 MW (DC) canopy solar array over the constructed canal network. The applicant's representative is Sarah Stearns, Beals and Thomas, Inc., 32 Court Street, Plymouth, MA 02360. The property owner of record is Peter Beaton, Bayside Agricultural, Inc., 77 Charlotte Furnace Road, West Wareham, MA 02576.

*(Vice Chairman Florindo recused himself from the Public Hearing.)*

Sarah Stearns, Wetland Scientist, of Beals and Thomas, Inc. reported the plan was revised slightly. They straightened out a curved canopy in the southern portion of the array. She noted they would update the relevant sheets on the plan set and have them re-dated and re-stamped. Ms. Stearns explained the Board kept the hearing open to receive peer review of the decommissioning bond estimate. Mr. Motta suggested an amendment and the applicant is comfortable with it.

Chairman Johnson stated that Mr. Motta suggested \$120,000 for the decommissioning bond.

A motion to approve the amount of the decommissioning bond was made by Clerk Bailey and seconded by Member DeMaggio. **The motion passed by a vote of 4 in favor, 0 opposed, 0 abstained (4-0-0).**

Lois Paquin of 114 Pierce Street stated the reasons she was opposed to the project. They include that it is a residentially zoned street; home values would drop near the solar installation; and putting solar over waterways does not keep with the integrity of our neighborhood. She added that 30 households signed a petition, which she handed to Chairman Johnson. Chairman Johnson clarified that 28 households signed and stated the petition would be put in the record. In response to a request from Chairman Johnson, Ms. Paquin said she could forward the information she had gathered about property values near solar installations. Chairman Johnson asked if she had data from the Town's Assessors. A gentleman sitting next to Ms. Paquin responded no. Chairman Johnson asked if she had examples with similar wooded conditions and Ms. Paquin responded yes.

Bryan Sylvia of 105 Pierce Street stated he was concerned the project would set a precedent and that future projects might be visible. Chairman Johnson explained that with the Town's Solar By-Law, the Board focuses on screening. He stated that any installation would not be visible. Mr. Sylvia asked the impact of shading the bogs. Ms. Stearns explained the canopies were proposed over the canal system, not the cranberry bogs. Mr. Sylvia asked the height of the panels and Hank Ouimet said they would be approximately 10 feet above grade. Mr. Sylvia asked about fencing. Ms. Stearns stated there would be fencing around the equipment pad but not around the canopies. She commented that the waterways are shallow and potentially the shading would keep the water at a desirable temperature. Mr. Sylvia asked if they had built similar projects. Mr. Ouimet stated it is their second project and noted the other project is in Carver. He added that they do not have data because the Carver project is being constructed. Mr. Sylvia asked if they knew the impact on living organisms below the panels. Mr. Ouimet stated he was not aware of any data. Ms. Paquin noted there are lily pads and creatures in the canals.

Andrew Rodriguez of 35 Stevens Road stated he was in favor of the project.

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Town Planner Starrett asked Ms. Stearns if they were leaving the canal the way it was and moving the solar. Ms. Stearns responded that they were moving both the canal and the solar. Town Planner Starrett asked what they were doing with the area where the canal had been proposed to be located. Mr. Ouimet responded that the area is currently bog and the road would temporarily get wider.

A motion to close the Public Hearing was made by Clerk Bailey and seconded by Member DeMaggio. Chairman Johnson provided some responses to the reasons Ms. Paquin was opposed to the project. He stated that streets are not zoned and explained that the Board would put conditions in place to ensure traffic in the neighborhood would not be impacted by construction vehicles. He noted that tax bills have not gone down for properties next to solar installations in town. **The motion passed by a vote of 4 in favor, 0 opposed, 0 abstained (4-0-0).**

Chairman Johnson stated they would have a draft decision for discussion at the next meeting.

*(Vice Chairman Florindo resumed his role in the meeting.)*

**BOARD BUSINESS**

**Draft Decision/ Sarah Sherman Road**

Chairman Johnson stated that a few minor edits had been suggested by Town Counsel Bailey. Town Planner Starrett mentioned the edits that related to correcting a few words, a standard condition that was not applicable, and the three easements that were approved by Town Counsel Bailey.

Clerk Bailey asked if the easements were pre-existing or new. Town Planner Starrett said they were all new easements. Clerk Bailey asked for more information about the easements. Greg Carey of Clean Energy explained they have two easements with Bill Souza, one for access and utility and the other for vegetative screening. The third easement is with the Ashley's to ensure that vegetation on the western side of the array will not be cut. Member DeMaggio asked if the screening easements are written to persist if the property is sold. Mr. Carey responded yes.

Chairman Johnson stated the Board would vote on the decision at the next meeting.

**TOWN PLANNER UPDATES**

Town Planner Starrett stated Beals and Thomas requested a site visit for the Snipatuit Road project. Members scheduled a site visit on September 8, 2020 at 5:30 p.m. before the next meeting. Member Carr stated he would join the meeting via Zoom. Clerk Bailey offered to share the site visit with Member Carr via Zoom. Town Planner Starrett stated he would go separately with Mr. Motta because he had to set up for the meeting that night.

**ADJOURNMENT**

A motion to adjourn at 7:45 p.m. was made by Member DeMaggio and seconded by Clerk Bailey. **The motion passed by a vote of 5 in favor, 0 opposed, 0 abstained (5-0-0).**