

**Rochester Planning Board
Minutes of September 22, 2020**

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

Absent: *(none)*

Steven Starrett, Town Planner
Tanya Ventura, Board Administrator & Recording Secretary

The meeting convened in-person and via Zoom Meeting ID 893 0880 7365. All the Members joined in-person at the Rochester Memorial School. Chairman Johnson called the meeting to order at 7:07 p.m. and stated the meeting was being recorded.

BOARD BUSINESS

Vouchers

A motion to approve a voucher for Field Engineering Co., Inc./Cranberry Highway 40R/ Invoice# 13838 in the amount of \$750.00 was made by Clerk Bailey and seconded by Member DeMaggio. **The motion passed by a vote of 7 in favor, 0 opposed, 0 abstained (7-0-0).**

A motion to approve a voucher for Field Engineering Co., Inc./15 Cranberry Highway/ Invoice# 13837 in the amount of \$250.00 was made by Associate Clerk Murphy and seconded by Member DeMaggio. **The motion passed by a vote of 7 in favor, 0 opposed, 0 abstained (7-0-0).**

A motion to approve a voucher for Field Engineering Co., Inc./Sarah Sherman Road/ Invoice# 13840 in the amount of \$1,210.00 was made by Associate Clerk Murphy and seconded by Member Carr. **The motion passed by a vote of 7 in favor, 0 opposed, 0 abstained (7-0-0).**

A motion to allow the Chairman to sign the vouchers on behalf of the Board was made by Vice Chairman Florindo and seconded by Associate Clerk Murphy. **The motion passed by a vote of 7 in favor, 0 opposed, 0 abstained (7-0-0).**

Minutes

A motion to approve the minutes of the September 8, 2020 meeting was made by Clerk Bailey and seconded by Vice Chairman Florindo. **The motion passed by a vote of 7 in favor, 0 opposed, 0 abstained (7-0-0).**

Chairman Johnson held a moment of silence in memory of longtime resident Lynnea Walker, who served as a Planning Board member for 6 years.

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INFORMAL DISCUSSION:

Trinity Solar/323 Rounseville Road, Map 34, Lot 6A

Chairman Johnson stated the applicant had previously come before the Planning Board with the same plan for an Informal. They meet the requirements and can go ahead with the application process.

PUBLIC HEARINGS

(Continued from September 8, 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 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 explained the applicant requested a continuance to October 13, 2020.

A motion to continue the Public Hearing to October 13, 2020 was made by Member DeMaggio and seconded by Member Murphy. **The motion passed by a vote of 7 in favor, 0 opposed, 0 abstained (7-0-0).**

(Continued from September 8, 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.

Eric Las of Beals and Thomas, Inc. was present via Zoom. Mr. Las reported at the last meeting the members voted on the final waivers and had a brief discussion regarding Natural Heritage and MESA. He stated a letter was provided to the Board dated August 3, 2020 from Natural Heritage stating the project will not adversely affect the resource area habitat of state protected rare species but the final approval process is still ongoing. Mr. Las requested the final approval from Natural Heritage as a special condition in the decision from the Board.

A motion to close the Public Hearing was made by Member DeMaggio and seconded by Member Murphy. **The motion passed by a vote of 7 in favor, 0 opposed, 0 abstained (7-0-0).**

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(Continued from September 8, 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 stated the applicant has a meeting scheduled with Field Engineering on Wednesday, September 30, 2020 and requested a continuance to October 13, 2020.

A motion to continue the Public Hearing to October 13, 2020 was made by Member DeMaggio and seconded by Associate Clerk Murphy. **The motion passed by a vote of 7 in favor, 0 opposed, 0 abstained (7-0-0).**

BOARD BUSINESS:

Final Decision/Eldredge Bogs

Chairman Johnson reported the Board discussed the draft decision at the previous meeting. Vice Chairman Florindo reminded the Board he was recused from this project.

A motion to grant approval for the large-scale photovoltaic installation was made by Clerk Bailey and seconded by Member Silveira. **The motion passed by a roll call vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

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

Review Chapter 61 A Withdrawal Notification from Decas Cranberry Co. for property off Neck Road designated as Map 40, Lots 3D, 3E and 3F

Chairman Johnson explained the Board of Selectmen requests recommendations from the Planning Board and the Conservation Commission regarding Chapter 61A notifications. Member DeMaggio asked Town Planner Starrett if the property had any foundations.

A motion to recommend to the Board of Selectmen to not exercise the First Right of Refusal was made by Clerk Bailey and seconded by Member DeMaggio. **The motion passed by a vote of 7 in favor, 0 opposed, 0 abstained (7-0-0).**

Review Chapter 61A Withdrawal Notification from Bendrix Bailey for property off Snipatuit and Gerrish Roads designated as Lot 29B on Rochester Assessors Map 43A.

(Clerk Bailey recused himself.)

A motion to recommend to the Board of Selectmen to not exercise the First Right of Refusal was made by Member Silveira and seconded by Member Carr. **The motion passed by a vote of 6 in favor, 0 opposed, 1 abstained (6-0-1).**

(Clerk Bailey resumed his role in the meeting.)

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TOWN PLANNER UPDATES

Chairman Johnson asked if there were any updates regarding the property owned by the church, who previously filed an ANR (Approval Not Required) application. Town Planner Starrett stated he did not have any additional information.

Town Planner Starrett reported that the project on Old Middleboro Road, owned by Seaboard Solar, had recently been sold to Agilitas. The new owners will schedule a meeting within the next few weeks to discuss scheduling and moving forward on the project. Chairman Johnson mentioned preserving the stone walls and homestead that is located on the property.

Town Planner Starrett stated he reached out to Mike LaCava of Repurpose Properties requesting an update on the Village project and will provide a schedule in the coming weeks. Chairman Johnson asked if they received approval regarding the use of water. Town Planner Starrett stated yes but will confirm and noted prior approval is listed as a special condition in the decision.

Member DeMaggio asked about the land clearing going on at the King's Highway Bituminous plant. Town Planner Starrett explained they are waiting on permits. Chairman Johnson also noted they are waiting on the DEP Order permit.

Town Planner Starrett also mentioned the Featherbed Lane North Solar project will be forwarding a letter of withdrawal.

ADJOURNMENT

A motion to adjourn at 7:37p.m. was made by Member DeMaggio and seconded by Clerk Bailey. **The motion passed by a vote of 7 in favor, 0 opposed, 0 abstained (7-0-0).**

Tanya Ventura, Board Administrator

Arnold Johnson, Chairman