

**Rochester Planning Board
Minutes of January 22, 2019**

Present: Arnold Johnson, Chairman
Gary Florindo, Vice Chairman
Bendrix Bailey, Clerk
Michael Murphy, Associate Clerk (*arrived at 7:06 p.m.*)
John DeMaggio
Chris Silveira

Absent: Lee Carr

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

Chairman Johnson called the meeting to order at 7:05 p.m. in the Town Hall Meeting Room and made everyone aware that this meeting was being televised and recorded via digital audio recorder.

BOARD BUSINESS

Minutes

A motion to approve the minutes of October 23, 2018 was made by Clerk Bailey and seconded by Member DeMaggio. Vice Chairman Florindo abstained. **The motion was passed by a vote of 4 in favor, 0 opposed, 1 abstained. (4-0-1).**

Voucher(s)

A motion to approve a voucher for Field Engineering / Borrego Solar Systems / 453 Rounseville Road Solar Project Escrow Account in the amount of \$1,000.00 was made by Clerk Bailey and seconded by Member DeMaggio. **The motion was passed by a vote of 5 in favor, 0 opposed, 0 abstained. (5-0-0).**

A motion to approve a voucher for Field Engineering / 15 Cranberry Highway LLC Escrow Account in the amount of \$250.00 was made by Clerk Bailey and seconded by Member DeMaggio. **The motion was passed by a vote of 5 in favor, 0 opposed, 0 abstained. (5-0-0)**

(Associate Clerk Murphy arrived at 7:06 p.m.)

Mullin Rule Affidavit

Member DeMaggio signed the Mullin Rule Affidavit – 15 Cranberry Highway Site Plan Review for a public hearing he missed on December 11, 2018.

Capital Planning Committee Appointment

At the last meeting, the Town Administrator requested that the Planning Board appoint a representative to the Capital Planning Committee. Mr. Barry Patraiko, who was present at the meeting, expressed interest in the appointment. Mr. Patraiko moved to Rochester about five years ago, holds a degree in accounting, and is interested in helping out with the Town.

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Town Administrator Suzanne Szyndlar, who was present, explained that the Capital Planning Committee was adopted at the annual Town meeting in 1998 and has never been formed. They currently have four committee members; one more will make it complete. The Planning Board can appoint the fifth member. The Capital Planning Committee will look at all the capital needs of the Town including buildings, roads, small equipment, and large equipment. The Capital Planning Committee is an advisory board and will advise the Selectmen on the capital needs of the Town through the creation of a 5-year capital plan. Member DeMaggio asked if the Capital Planning Committee will consider the schools. Town Administrator Szyndlar responded that it includes Rochester Memorial School, not Old Rochester Regional Junior High School and High School.

A motion to appoint Barry Patraiko to the Capital Planning Committee was made by Member DeMaggio and seconded by Vice Chairman Florindo. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0).**

INFORMAL MEETINGS

Rochester Farms LLC, Marion Road, Map 6 Lot 37, Large-Scale Photovoltaic Special Permit

Sarah Rosenblat of SWEB Development and Ken Motta were present at the informal meeting.

Chairman Johnson explained that SWEB Development is seeking a Large-scale Photovoltaic Special Permit and a Scenic Highway Special Permit.

During Ms. Rosenblat's presentation, she explained the project would generate 4 MW AC and 5.6 MW DC. They were able to increase the DC ratio by switching both the racking and the modules. They have now included lower racking because of concerns about visibility. The height of the racking at its highest point is 2 feet, 9 inches and a quarter. Nothing will be shown outside the fence; it will be hidden. Instead of a horizontal orientation, it will be a vertical racking system, facing each other. With the changes, the project will produce the same amount of energy as before. They changed from 360 to 380 watt modules. They will be using the same transformers, string inverters, and recloser. Ms. Rosenblat referred to a diagram on the Samsung Flip pointing out the locations of the 100 feet, 50 feet, and 25 feet buffer lines. A metes and bounds survey was completed by Weston & Sampson.

Chairman Johnson asked if the access road was 16 feet all around and paved in 40 feet. Ms. Rosenblat confirmed and added that the gate is 20 feet wide.

Chairman Johnson asked Ms. Rosenblat about the existing access road at the property used by the owner. Ms. Rosenblat confirmed that the access road in reference is in the center and not being used for the project.

Chairman Johnson asked if there will be a lease arrangement because the section of land will be taken out of Chapter 61A. Ms. Rosenblat verified that discussions have taken place and the section of land will be zoned agricultural/residential. The remaining land will continue to be covered by Chapter 61A because the owner plans to continue farming.

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Chairman Johnson asked for confirmation that the project will be set back 300 feet from the front. Ms. Rosenblat verified and added that there would be a 100-foot buffer at the corners.

Ms. Rosenblat pointed out the 8-foot high stockade fence and chain link fence in the back of the installation on the diagram on the Samsung Flip.

Ms. Rosenblat stated that they have pre-done the site line renderings in preparation for the meeting. She showed the renderings on the Samsung Flip.

Town Planner Steve Starrett asked if any items such as the inverters or power storage will be higher than the racking. Ms. Rosenblat stated the highest dimension is 6-1/2 feet which is the reason for the 8-foot stockade fence.

On the Samsung Flip, Ms. Rosenblat pointed out the equipment including the modules, racking, the two transformers, and string inverters. She showed a site line from the first story of one of the nearby residences (10 feet high viewpoint) and pointed out there will be 8 string inverters on each pad mount, under a little shelter as well as the transformer and access road.

Chairman Johnson stated that the panels appear to be tight together. He asked if there is any space between them. Ms. Rosenblat stated there are 8 inches between the panels themselves. Depending on whether looking horizontally or vertically, between the grids, there is either a 4-foot 10-inch gap or a 10-foot gap.

Town Planner Starrett asked if the array has been used anywhere else. Ms. Rosenblat responded that the company she represents has not used the particular racking system, but it is in use in the United States. SWEB typically uses RBI racking, but are using this system because of the height.

Town Planner Starrett asked how they would handle problems in the middle of the array. Ms. Rosenblat stated that they were discussing the issue internally since they haven't used the type of racking before. Since the racking is lower, it's more accessible for their operations and maintenance team. It's easier for snow because instead of having a four panel buildup and two feet drop every 15 feet, with this system there will only be a one panel buildup every two to three feet. They have accounted for a 10% productivity loss due to snow. Referring to general maintenance, instead of bringing a truck through, they will need to utilize maintenance staff on foot observing around the grids. The string inverters allow them to take one grid off in terms of production, while the remaining grids are still producing.

Vice Chairman Florindo asked about the popularity of the racking system. Rosenblat stated that it's not as popular as standard post driven racking because of the productivity loss. Vice Chairman Florindo asked with the system being new what will happen if the system fails in two years. Ms. Rosenblat responded that the 8-foot fence would still cover if using the RBI racking which is 7 feet high. The racking systems come with a warranty for the lifetime of the project.

Vice Chairman Florindo asked if Craig Canning, the property owner, would continue to own the space. Ms. Rosenblat confirmed that he would and that they would lease the space.

Chairman Johnson asked if they would follow the slope of the land with minimal site work. Ms. Rosenblat replied that no earth work is needed. There is a very low slope; from the road to the water there is about a 7-1/2-foot difference.

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Ms. Rosenblat confirmed there is no battery storage in response to Town Planner Starrett's question.

Ms. Rosenblat reviewed the remaining site lines on the Samsung Flip pointing out the 3 poles and the pad mounted recloser. Chairman Johnson asked if they were proposing a berm. Ms. Rosenblat verified they would only have the fence. They will most likely be required to have a 6-inch gap under the fence due to a turtle species in the area that will need to be able to pass under the fence. They will also do visual surveys during construction and operation to note how many turtles are seen migrating.

Associate Clerk Murphy asked how they will control the vegetation growth around the panels. Ms. Rosenblat said they have proposed low growth shade tolerant grass in their landscape plan (which was shown on the Samsung Flip).

Chairman Johnson mentioned the landscaped area would need to be incorporated into the lease area or will require an easement. Ms. Rosenblat said they would have an easement for landscaping. The lease area would be specifically the land coming out of Chapter 61A which is the fenced area and the access road. Chairman Johnson requested that the information about the easement be included in the filing.

Chairman Johnson mentioned a concern that came up in the tech review. Mr. Canning was interested in using an area behind the solar facility and accessing it through the "fingers." Ms. Rosenblat pointed out possible access points on the Samsung Flip.

Dolores Dernier, owner of 198 Marion Road, who was present, wanted to know more about the access road. Ms. Rosenblat stated that it's 16 feet wide; they're permitting with MassDEP for the apron that will be a minimum of 40 feet. Ms. Dernier asked about the location of the fence. Chairman Johnson clarified that there won't be a fence on the access road going into the project and that there will be screening for the facility. Ms. Dernier was concerned about the traffic from the delivery trucks and staff during the construction of the facility. Chairman Johnson pointed out the bylaw that requires the project to be set back 300 feet from the road. Ms. Rosenblat mentioned that after construction they would do quarterly inspections during the first year and after that twice a year inspections.

Chairman Johnson asked how the racking is installed. Ms. Rosenblat said it's a post driven system that goes directly into the ground.

Vice Chairman Florindo suggested that the neighbors should see vegetation from their homes as opposed to a fence. Ms. Rosenblat suggested they can add more screening to the plan.

Chairman Johnson explained that 16 feet is what the Fire Chief requires for fire apparatus.

Chairman Johnson explained the process moving forward. They would set the peer review fee, discuss concerns, adjust plans, SWEB would do an official filing, and then the Planning Board would hold hearings.

Ms. Dernier asked if there could be adjustments to the screening after the project is constructed. Chairman Johnson stated that screening and the access road have to be put up before the panels are in place. There could be a condition in the plan that could allow for adjustment of the plantings after being installed.

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Chairman Johnson explained that the Town holds a landscaping bond that covers the cost of the replacement of all the plantings. The Town holds it for two growing seasons and inspects after the first growing season.

Stephen Downes, 264 Marion Road, asked the length of the lease. Ms. Rosenblat stated the lease is for 25 years with two 5-year extensions and the potential for a third 5-year extension. Mr. Downes also asked about the site line from the back of his property. Ms. Rosenblat stated they could do another site line rendering. Mr. Downes asked for the set back on the fence. Ms. Rosenblat stated the fence is 100 feet from Mr. Downes' property line. She also mentioned adding more landscaping to avoid the view of the fence. Mr. Downes asked the maximum north south length of the arrays. Ms. Rosenblat stated it is 550 feet; however, there was some discussion about the correct measurement. There was also discussion about moving the chain link fence back.

Ken Motta asked if some material will be moved during the construction of the access road. Ms. Rosenblat stated that the owner would like to make use of the material on the property. Mr. Motta would like to see the hydrologic analysis in the filing. Mr. Motta also asked about the landscaping outside the leased area; SWEB is proposing an easement.

Ms. Rosenblat stated the project is community shared solar. They are partnering with Blue Wave. When area residents sign up, they receive a 10% discount on their energy bill.

Chairman Johnson stated hearings will be scheduled every other meeting. Escrow should be submitted in the amount of \$3,000 along with the standard filing fee.

**Clean Energy Collective, Sarah Sherman Road, Map 28 Lot 8C, Large-Scale
Photovoltaic Special Permit**

Evan Watson of Prime Energy, Doug Carton of Clean Energy Collective, and Ken Motta were present at the informal meeting.

Evan Watson stated that they have had a survey done, the wetlands flagged, and filed with the Conservation Commission and received an ANRAD. He reviewed the layout of the area on the Samsung Flip. Mr. Watson mentioned an easement that is currently in place on Mr. Ed Ashley's property. Doug Carton stated they will obtain an easement on another resident's property as an apparatus to clarify the rights under the deed to satisfy their financial partners. Mr. Watson stated the general location of the site: bordered by Alley Road on the east, Sarah Sherman Road running north and south and Neck Road to the west. It's 700 feet from Sarah Sherman Road to the installation. It's more than 2,000 feet from the buildings on Mendell and Neck Road.

Mr. Watson stated they have gone through the tech review and received input from the Fire Department, the DPW, members of the Planning Board, and Building Inspector and revised the plan to accommodate the comments. Mr. Watson showed the access to the site on the Samsung Flip. The installation will produce 1MW AC. The system will use a TerraSmart system with ground screws in the front and back. A 16-foot wide gravel road will surround the site. A chain link fence would be around the site.

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Mr. Watson said they haven't yet done the site lines. The site requires a small amount of clearing to the south. They are not planning for a berm or major site work. The soils are well draining; don't see a lot of runoff. The site is well screened from all the residences on the street. There is 100 feet set back from the panels to the property line.

Chairman Johnson suggested looking at the site line across the cranberry bogs from Mendell Road. Mr. Carton stated that they are not proposing any screening at this point. He also said they would be looking for an easement on Mr. Ashley's property to maintain the existing trees. There was discussion among Board Members about relying on an easement to meet the standards for screening. Chairman Johnson suggested refining the screening or expanding the lease area to allow for screening. Town Planner Starrett will request an opinion from Town Counsel Blair Bailey.

Mr. Watson stated there will be 4 poles at the street plus an additional recloser pole by the equipment pad. The fourth pole is needed because it's across the street. Chairman Johnson suggested that the recloser pole could be eliminated by using a pad mounted recloser.

Mr. Watson explained the battery storage. The switch gear, string inverters, and energy storage would all be stored on the pad. They are lithium-ion batteries in a steel enclosure. The metal container is 4' wide x 18' long and there would be two of them. Mr. Carton explained they come pre-packaged with an HVAC unit to regulate temperature. They have a built-in fire suppression system. Mr. Carton explained that storing energy is incentivized by the SMART (Solar Massachusetts Renewable Target) program. Mr. Watson offered to provide more information on the lithium-ion batteries.

Mr. Watson stated that Highway Surveyor Jeff Eldridge had suggested a method for bringing in construction vehicles as shown on the Samsung Flip. It would eliminate the need for some land clearing. Vice Chairman Florindo suggested providing the Planning Board with a letter of release from Mr. Ashley giving permission to bring in construction equipment.

Mr. Watson invited the Planning Board members to visit the site. It was scheduled for February 2nd.

Chairman Johnson said escrow should be submitted in the amount of \$3,000 along with the standard filing fee.

PUBLIC HEARING:

***(Continued from January 8, 2019)* A Site Plan Review application received by 15 Cranberry Highway, LLC, 177 Huntington Avenue, Boston, MA 02115 for property located at 15 Cranberry Highway, Rochester, MA 02770, further identified on Assessor's Map 17, Lot 31C. The property owner is Decas Real Estate Trust, 4 Old Forge Road, Carver, MA 02330. The proposed project is for site redevelopment for a day care facility. Building renovations will be limited to the interior of the structure creating a new day care space for the majority of the building and adding an area at the front of the building to be leased to a future tenant. The redevelopment of the 2.22 acre site will include modifying the exiting paved surface and upgrading storm water management. A playground will be constructed just beyond the existing building.**

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Bob Rogers of G.A.F. Engineering, Schoen and Bonnie Morrison, and Ken Motta were present at the hearing.

Mr. Rogers provided an update on the project. He stated that the first public hearing was held on December 11th. Updates have been made to the plan including dimensioning the entrance, changing a drainage swale on the north side of the parking lot to a drainage basin, and providing signage.

On December 19th, Mr. Rogers met with Mr. Motta. Revised plans were made which are dated January 2nd. They have filed a Notice of Intent (NOI) with the Conservation Commission. They had a site visit on December 12th with the Conservation Commission. They have a planting schedule for the existing basin and have a continued public hearing scheduled for February 5th.

Mr. Rogers stated that they hope to be approved in March. The owners have a closing date in April.

Chairman Johnson asked for clarification on a 12 inch PVC pipe acting as a diverter. Mr. Rogers stated that it's a design choice. The goal is to move stormwater into the water quality basin before going into the existing basin. There was discussion about the choice of the PVC pipe and its longevity.

Mr. Motta suggested referencing Taunton weather station in case of a rain event.

Chairman Johnson suggested continuing the hearing until the second meeting in February. Mr. Rogers stated that the Morrison's closing could be delayed.

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

DISCUSSION:

Borrego Solar Systems / Rounseville Road Solar Project

Steve Long from Borrego Solar and Ken Motta were present at the meeting.

Chairman Johnson stated there was an issue at the Rounseville Road Solar Project with rain events and water flowing backwards toward Mendell Road.

Mr. Long stated that the water did not reach the road; the berm contributing to the issue will be removed. Chairman Johnson suggested dewatering the site and digging up any ice. Chairman Johnson also suggested that adding grass won't be sufficient for drainage and any impermeable material needs to be removed from the drainage basin.

Mr. Motta and Town Planner Starrett will inspect the site on January 23rd. In addition, Planning Board members scheduled a site visit on February 2nd.

Vote to Support Application to DHCD: Impact Study of Rochester Crossroads 40R Proposal

A motion to allow Rochester Crossroads to file an application to DHCD was made by Member Silveira and seconded by Clerk Bailey. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

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Proposed Marijuana Bylaw

Chairman Johnson suggested changing the distance from a marijuana establishment to any “pre-existing public or private school, daycare, or any establishment where children commonly congregate” from 500 feet to 1,000 feet. Chairman Johnson suggested asking Town Counsel Blair Bailey to clarify why medical marijuana was included in the bylaw and for more details about the 1,000 feet buffer.

Connet Woods Bond

A motion was made by Member Silveira to accept the recommendation by Field Engineering to set the bond amount at \$141,000 and seconded by Member DeMaggio. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

Wellspring Update

Town Planner Starrett provided an update on idling at Wellspring. He visited the site three times on various weekdays and found there was no idling. Planning Board members asked Town Planner Starrett to continue monitoring the site for idling.

Connet Woods

Chairman Johnson asked Town Planner Starrett about corrected items. The staff from Connect Woods reported to Town Planner Starrett that they have run out of good weather for the final clean up items. They plan on doing it in the spring. All the rest is finished. They have an approved plan for Basin B, approved by Mr. Motta on December 10th; it will be a spring work item. Chairman Johnson recommended that staff from Connect Woods bring the bond in and pay the escrow amount and then come to the next meeting for a hearing.

Town Planner Starrett stated that there will be another tech review for another solar farm on Pierce Rd.

ADJOURNMENT

A motion to adjourn at 10:31 p.m. was made by Member DeMaggio. All were in favor. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

Marissa Perez-Dormitzer, Recording Secretary

Arnold Johnson, Chairman