

**Rochester Planning Board
Minutes of June 26, 2019**

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

Absent: (*none*)

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

Chairman Johnson called the meeting to order at 7:02 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

Minutes

A motion to approve the minutes from June 11, 2019 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).**

Vouchers

A motion to approve a voucher for Field Engineering for the Borrego Solar / 453 Rounseville Road Solar Project Escrow Account in the amount of \$750.00 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).**

A motion to approve a voucher for Wayfair for a Bush Desk Hutch in the amount of \$390.99 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 for Field Engineering for the REpurpose Properties Rounseville Road Escrow Account in the amount of \$500.00 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).**

A motion to approve a voucher for Field Engineering for the Covanta SEMASS Upgrade in the amount of \$750.00 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).**

(Member DeMaggio arrived at 7:06 p.m.)

A motion to approve a voucher for Field Engineering for the Edgewood Development Bituminous Escrow Account in the amount of \$270.00 was made by Clerk Bailey and seconded by Associate Clerk Murphy. **The motion passed by a vote of 7 in favor, 0 opposed, 0 abstained (7-0-0).**

Notice of Assignment, Marion MA 1, LLC (Affiliate of Clean Energy Collective) to Navisun LLC for Perry's Lane Solar Project

Chairman Johnson explained there is a change of ownership at the Perry's Lane Solar Project. He stated that Town Counsel Bailey reviewed the notice of assignment.

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A motion to authorize Chairman Johnson to sign the Notice of Assignment 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).**

PUBLIC HEARINGS

1. (Continued from May 14, 2019) A Large-Scale Photovoltaic Installation Special Permit application and Application for Work on Scenic Highway (Route 105) received from SWEB Development USA, LLC, 209 West Central Street, Suite 306, Natick, MA 01760 for property located at 0 Marion Road, Rochester, MA 02770, further identified on Assessor's Map 6, Lot 37. The property owner is Rochester Farms, LLC, P.O. Box 278, West Wareham, MA 02576. The proposed project is for the construction of a Large-Scale Ground Mounted Solar Array.

Chairman Johnson stated the applicant submitted a letter dated June 3, 2019 requesting a continuance to July 9, 2019.

A motion to continue the Public Hearing to July 9, 2019 was made by Clerk Bailey and seconded by Associate Clerk Murphy. **The motion passed by a vote of 7 in favor, 0 opposed, 0 abstained (7-0-0).**

2. (Continued from June 11, 2019) Special Residential Development Special Permit application, Application for Work on Scenic Highway (Route 105) and a Groundwater Protection District Special Permit application received from REpurpose Properties, LLC, 55 Main Street, Buzzards Bay, MA 02532 for property located at Rounseville Road, Rochester, MA 02770, further identified on Assessor's Map 30, Lots 24, 25B, & 25C. The property owner of record is Gibbs V. & Patricia M. Bray, Trustees, 21 Pawkechatt Way, P.O. Box 989, Marion, MA 02738. The applicant's representative is John L. Churchill, Jr. of JC Engineering, Inc., 2854 Cranberry Highway, East Wareham, MA 02538. The proposed development is an age-restricted community with 22 duplex units, a common building and associated roadways, buildings, and utilities.

Chairman Johnson stated the applicant requested a continuation to the next scheduled meeting.

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

3. (Continued from June 11, 2019) A Site Plan Review application and a Groundwater Protection District Special Permit application received from Sophia Darras c/o Attorney Patricia A. McArdle, 44 Main Street, Mattapoisett, MA 02739 for property located at 565 Rounseville Road and 0 Rounseville Road, Rochester, MA 02770, further identified on Assessor's Map 30, Lots 24, 25 and 25D. The property owners are Sophia Giannaros Darras, 79 Walpole Street, Dover, MA 02030 and Patricia M. Bray, Trustee, Union Jack Realty Nominee Trust, P.O. Box 989, Marion, MA 02738. The proposed project involves the removal and abandonment of the existing drainage system, and the installation of a new drainage system that includes new deep sump catch basins, drainage manholes and piping, proprietary treatment structures and sub surface infiltration. The proposed project involves replacement of the existing drainage system at 565 Rounseville Road with a new compliant system to meet Town and State regulations for stormwater.

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Chairman Johnson stated the applicant requested to continue the Public Hearing to July 9, 2019.

A motion to continue the Public Hearing to July 9, 2019 was made by Clerk Bailey and seconded by Associate Clerk Murphy. **The motion passed by a vote of 7 in favor, 0 opposed, 0 abstained (7-0-0).**

PUBLIC MEETING

Approval Not Required Application

Gibbs V. & Patricia Bray, Trustees and Patricia A. McArdle for Sophia Darras, 565 & 0 Rounseville Road, Map 30 Lots 24, 25 & 25D

Chairman Johnson explained the applicant is giving permission to extend the Public Meeting deadline to the meeting on July 9, 2019. There are still questions and legal counsel is on vacation. The utility easement will encompass the leaching field on a separate lot still owned by Sophia Darras. Documentation of the utility easement hasn't been provided. He called the applicant and was told they likely won't execute the easement. Without an easement, the owners could sell the property tomorrow and there wouldn't be a septic system.

Chairman Johnson stated a pipe extending in the back required a permitting easement, but the Town isn't named as a party to the easement. Town Counsel Bailey has said the Town should be named so Town staff can enter the property in case of failure. The drainage line could flood Route 105.

4. A Site Plan Review application received by Covanta SEMASS (SEMASS Partnership) of 141 Cranberry Highway, West Wareham, MA 02576 for property located at 141 Cranberry Highway, Rochester, MA 02770, further identified on Assessor's Map 17, Lot 1. The property owners are Covanta SEMASS (SEMASS Partnership), 141 Cranberry Highway, West Wareham, MA 02576. The proposed project includes installation of new air pollution controls at the existing facility. The proposed improvements are located completely within the existing developed site among several existing structures and will not result in any substantive change in the number of employees or conditions at the site. The work includes relocation of existing electrical switchgear to accommodate the upgrade of current air pollution controls.

Matt Moyon, P.E, Project Manager of Tetra Tech explained that SEMASS is proposing air pollution upgrades in a multiphase project. He reviewed the phases in a diagram on an easel:

- In Phase 1, part of a containment berm will be demolished to prepare for the base plant switchyard. The switchyard will be constructed in its new location.
- In Phase 2, they will demolish the existing base plant switchyard to allow for construction of a bag house. When the bag house is in place, the existing electrostatic precipitator unit will be demolished, and another bag house will be constructed.
- In Phase 3, a second electrostatic precipitator unit will be removed they will pave the area.

Mr. Moyon explained it's a multiyear project. All work will be done within the existing footprint. Mr. Moyon noted Planning Board Members visited the site. He reported that Ken Motta has seen the plans and issued a letter that the plans have been updated to a point that Mr. Motta is satisfied. The final plans were issued on the day of the Public Hearing. Mr. Moyon stated the only change was to add existing benchmark elevations.

Town Planner Starrett asked if Mr. Motta is all set with the two issues mentioned in an email that day. Mr. Moyon stated they responded to the two issues in a letter. The only item that remained

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was the benchmark survey. He added that Mr. Motta is waiting to issue a letter until he receives the final plans. Town Planner Starrett asked to verify if Ken Motta is satisfied with the plans. Mr. Moyen responded yes.

Chairman Johnson explained that since Members received the information that same day, they didn't have time to review the updated plans. He suggested continuing one more meeting.

Member Silveira asked if the benchmarks were added that day. Mr. Moyen responded yes and it's the only change. He added that Mr. Motta knew where they were going to be – one is on the stack and a second is on the existing fire hydrant.

Chairman Johnson stated he received a letter with 8 items on June 3, 2019. Mr. Moyen noted the plans in front of the Members were dated June 11, 2019. The June 11, 2019 plans incorporate responses to all the comments. Mr. Moyen added that he responded to Mr. Motta's email on June 7, 2019 and indicated how the plans were updated to address the comments and concerns. Town Planner Starrett stated the information that came in today was too late. Chairman Johnson stated they have a policy of not accepting information after a certain date and time to give Members time to review the plan.

Member Silveira stated two remaining items were addresses at the site visit and the third was to add the benchmarks. Chairman Johnson asked if Town Planner Starrett reviewed the final plans. Town Planner Starrett responded no.

Chairman Johnson suggested they could close the Public Hearing and reopen, if needed.

A motion to close the Public Hearing was made by Member DeMaggio and seconded by Clerk Bailey. Chairman Johnson was opposed. **The motion passed by a vote of 6 in favor, 1 opposed, 0 abstained (6-1-0).**

Town Planner Starrett stated he will prepare a decision.

Decision for Trahan / 243 Mattapoissett Road Special Permit for a Back Lot

Chairman Johnson explained there has been one change since the decision was distributed. Under Terms and Conditions #3, they added that Lot 1 will not be further subdivided so the narrative matches the plan.

Chairman Johnson stated the decision has been reviewed and approved by Town Counsel Bailey.

A motion to approve the decision was made by Clerk Bailey and seconded by Member DeMaggio. **The motion passed in a roll call vote of 7 in favor, 0 opposed, 0 abstained (7-0-0).**

TOWN PLANNER UPDATES

Borrego Solar Rounseville/Mendell Road Solar Project

Town Planner Starrett stated they hydroseeded the property. Chairman Johnson added that they haven't done work on plantings in the front. Town Planner Starrett noted that Steve Long of Borrego Solar was going to the site that day and will report back. There is still a delay on Eversource digging a trench.

Clean Energy Collective on 248 Mattapoissett Road

Town Planner Starrett explained they hydroseeded the property.

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Meadowatt

Chairman Johnson stated they are doing a good job maintaining the site.

Old Middleboro Road

Town Planner Starrett stated the person buying the lots met with him. There currently is no frontage to the property until the owner makes the three changes required in the ANR. The changes include: widening the road, adding a catch basin, and making the turn-around. Until then, they won't receive a building permit.

Old Middleboro Road Solar Project

Town Planner Starrett reported a change in the project. Instead of coming down Old Middleboro Road, they will access the site through their property and through a piece of property they will purchase from Decas Cranberry. The Decas property will be given to the Buzzard's Bay Coalition.

ADJOURNMENT

A motion to adjourn at 7:55 p.m. was made by Member DeMaggio and seconded by Clerk Bailey. **The motion was passed by a vote of 7 in favor, 0 opposed, 0 abstained (7-0-0).**

Marissa Perez-Dormitzer, Recording Secretary

Arnold Johnson, Chairman