

**Rochester Planning Board  
Minutes of October 8, 2019**

**Present:** Arnold Johnson, Chairman  
Gary Florindo, Vice Chairman  
Bendrix Bailey, Clerk  
Michael Murphy, Associate Clerk  
Lee Carr  
John DeMaggio (*arrived at 7:08 p.m.*)

**Absent:** Chris Silveira

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

**Chairman Johnson called the meeting to order at 7:03 p.m. at the Town Hall Meeting Room and made everyone aware that the meeting was being televised and recorded via digital audio recorder.**

**DISCUSSION**

**Affordable Housing for Seniors**

Mark Wellington and Gianno Lettieri of the Rochester Affordable Housing Committee were present. Clerk Bailey explained he received a flyer in a recent Council on Aging mailing indicating their group has made some progress. Mr. Wellington explained they now have 501(c)(3) status. They are starting to fundraise and do public outreach. He mentioned their group is looking to help the elderly population aged 62 and above as well as veterans in town.

*(Member DeMaggio arrived at 7:08 p.m.)*

Clerk Bailey suggested doing a survey to identify what would be considered affordable to allow residents to stay in Rochester. Mr. Wellington responded that they have done a couple of surveys already. Clerk Bailey suggested including the survey results in the pamphlet. He mentioned two paths they can take to achieve affordable housing. One path would be to raise funds and construct housing. The second path would be to advocate for a special zoning regulation at Town Meeting for something like modular housing and then let someone develop it commercially.

Mr. Wellington explained they are hoping that someone will leave them a house and they could create multiple dwelling units in the building. Mr. Lettieri added that if land is donated, they can use the equity for a construction loan. Clerk Bailey explained it will take time to raise funds and reiterated his idea of making it commercially viable for someone to create the units and make money at it. He noted the zoning needed doesn't exist right now.

Mr. Wellington asked if the Board would be receptive to working with their organization to come up with a zoning article for affordable housing. Chairman Johnson responded yes and that they would need a plan. He mentioned the option of creating an overlay district. He asked if their group received a donation of property whether they would own the property and lease or if they would sell the units. Mr. Wellington stated their group is looking to own and lease. He added that their intention is to charge reasonable rents as compared to the proposed rents at Rochester Crossroads.

Chairman Johnson asked if they would tie in with Mass Housing. Mr. Lettieri responded that it's a possibility. Chairman Johnson asked if they can limit it to Rochester residents as part of the Mass Housing program. Mr. Lettieri responded yes. Chairman Johnson recalled a situation when the

**Rochester Planning Board  
Minutes of October 8, 2019**

state was going to require a lottery to determine who would live in an accessory apartment. Chairman Johnson suggested working with Town Planner Starrett and the Board.

Mr. Wellington explained they have created priority levels with seniors 62 and above first, then disabled veterans, then veterans with an honorable discharge. They are looking to make one-bedroom units with no more than 2 people per unit.

Vice Chairman Florindo mentioned the biggest cost for the elderly is taxes since they have likely paid off their house. He suggested giving a tax break when residents reach a certain age. Mr. Lettieri responded that it would have to be mandated by the state. He noted there is a program in town where the elderly can work for any Town department for a certain number of hours to reduce their property taxes by \$1,000. However, he suggested that it's not enough for some elderly residents.

**PUBLIC MEETING**

**Approval Not Required Application**

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

Brian Wallace of J.C. Engineering, Inc. submitted a Division of Land plan associated with drainage improvements for Plumb Corner Plaza. He explained there was a question about the playground, and they provided a revised plan that includes an additional 1,800 square feet in Lot 25D to accommodate a future playground. He stated that all other easements and lots lines remained the same.

Town Planner Starrett asked Mr. Wallace to show the Board the location of the old playground. Mr. Wallace outlined the existing playground on a diagram on the Samsung Flip. He also showed the general location of the new playground that will be entirely on Lot 25D.

A motion to approve the Division of Land of 565 and 0 Rounseville Road dated October 2, 2019 was made by Clerk Bailey and seconded by Member DeMaggio. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

**PUBLIC HEARINGS**

**1. (Continued from September 24, 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 continuance, but he had some questions. He requested that they add Ken Motta's comments above their responses. He also noted they can't talk about waivers until they receive Mr. Motta's report.

**Rochester Planning Board  
Minutes of October 8, 2019**

Chairman Johnson commented that the following information was still needed:

1. Architectural drawings: Chairman Johnson noted they prepared the drawings and then met with the Historical Commission and changes were made. He requested that the updated drawings be submitted;
2. Updated phasing schedule of construction;
3. Length of spur roads need to be more visible on the plan;
4. Setback lines need to be added on the front lots;
5. Opinion from the Fire Chief on trees in the double barrel road; and
6. Homeowner's association documents.

Chairman Johnson also stated that Town Planner Starrett needs to check the spacing between the buildings based on the new layout. He mentioned that the footprint should include porches and decks. Mr. Wallace responded that there are 4 different unit styles and they have used the biggest footprint for every unit.

Chairman Johnson asked if the vegetation in the back would be removed. Mr. Wallace responded that a portion is being cleared for road construction and grading of units. Chairman Johnson noted they have a couple of large infiltration basins and suggested addressing mosquito control in the stormwater operations and maintenance plan.

A motion to continue the Public Hearing to October 22, 2019 was made by Clerk Bailey and seconded by Associate Clerk Murphy. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

**2. (Continued from September 24, 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.**

Sarah Rosenblat, Development Manager of SWEB Development USA, LLC and Stephen Wiehe from Weston & Sampson were present. Ms. Rosenblat explained that they received a fourth report from Mr. Motta to which SWEB had responded. She noted that Mr. Motta and SWEB were in agreement. Ms. Rosenblat reported there were several changes made to the plan.

Mr. Wiehe provided an overview of the changes. He explained they did test pits and found a high water table toward the back of the property. As a result, they changed the configuration of the basins. Mr. Wiehe noted they won't do any grading or clearing where the array will be located. They will be grading near the service road and the equipment pads. Additional changes included updating the site lines, adding a turnout on the side of the switch, widening the easement, updating the racking plans, and increasing the lease plan to include access to Marion Road.

Mr. Motta reported they are all set other than a minor change to the plan. Chairman Johnson reviewed the list of waivers that were being requested.

A motion to grant all the requested waivers was made by Clerk Bailey and seconded by Associate Clerk Murphy. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

**Rochester Planning Board  
Minutes of October 8, 2019**

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

Chairman Johnson said the draft decision would be prepared before the next meeting. It will be discussed at the meeting on October 22, 2019. He explained they are proposing to hold a special meeting on October 31, 2019 to vote to approve or deny the application.

A motion to hold a special meeting on October 31, 2019 was made by Clerk Bailey and seconded by Associate Clerk Murphy. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

**BOARD BUSINESS**

**Vouchers**

A motion to approve a voucher for mileage reimbursement to the Town Planner in the amount of \$224.23 was made by Clerk Bailey and seconded by Associate Clerk Murphy. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

A motion to approve a voucher for reimbursement for an Adobe Acrobat Subscription in the amount of \$42.44 was made by Clerk Bailey and seconded by Associate Clerk Murphy. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

A motion to approve a voucher for reimbursement for a Dropbox Subscription in the amount of \$127.37 was made by Associate Clerk Murphy and seconded by Member Carr. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

**TOWN PLANNER UPDATES**

**IGS Solar (formerly Melink) Snipatuit Road**

Town Planner Starrett showed photos of the site on the Samsung Flip. Chairman Johnson explained the Planning Board's decision didn't specify that the access road has to serve as a fire break. He stated it only has to be passable and from an access standpoint, it's passable.

Town Planner Starrett reported the access road has been mowed and they picked up trash and leftover metal pieces. They are working on getting a landscaper to handle several dead or dying trees and shrubs. There is also 100 feet of barbed wire fence that's loose and needs to be fixed.

Town Planner Starrett explained the Planning Board can proceed to take the bond. Chairman Johnson asked if Town Planner Starrett had prepared the request for proposals (RFP) for landscaping services. Town Planner Starrett responded no. Chairman Johnson said he can keep pursuing the RFP and that the work may be finished before the RFP is completed.

**Borrego Solar Rounseville/Mendell Road Solar Project**

Town Planner Starrett explained there were some things Borrego Solar didn't finish, and they needed to resolve the standing water. They put in wicks to help with the standing water and fixed the other issues. He reported they are almost ready for a site visit.

Chairman Johnson asked if they had their witness test. Town Planner Starrett responded no. Town Planner Starrett showed several photos of the site on the Samsung Flip demonstrating the issues that

**Rochester Planning Board  
Minutes of October 8, 2019**

were fixed. He noted they found no groundwater. Chairman Johnson commented that they will wait for rain to see if the wicks are effective.

**Old Middleboro Road Solar Project**

Town Planner Starrett reported they received an application from Seaboard Solar for the Old Middleboro Road solar project. The Planning Board will open the hearing at the special meeting on October 31, 2019.

Clerk Bailey asked if they have cleared all their tax liens. Town Planner Starrett explained that the properties Seaboard Solar is buying don't have tax liens on them. The owners of the properties have other properties in town that have tax liens. He explained that Town Counsel Bailey said they don't have to clear the tax liens now. However, they won't be able to get a building permit if they don't clear.

Town Planner Starrett noted that the Conservation Commission will also start their hearing. Chairman Johnson stated the Planning Board couldn't issue a decision until the tax lien is lifted. Clerk Bailey asked why they should hear them if they haven't paid their taxes. Town Planner Starrett noted that Town Counsel Bailey said the Planning Board was not compelled to hear them. Town Planner Starrett said he thought the taxes would be paid before then. Clerk Bailey noted they are only paid up on taxes for the properties involved in the project. Town Planner Starrett responded that he will check with counsel. Chairman Johnson explained they can open the hearing, but they can deny based on unpaid taxes. Clerk Bailey asked that it be clarified with Town Counsel Bailey.

**ADJOURNMENT**

A motion to adjourn at 8:44 p.m. 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).**

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Marissa Perez-Dormitzer, Recording Secretary

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Arnold Johnson, Chairman