

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

Present: Arnold Johnson, Chairman
Gary Florindo, Vice Chairman
Lee Carr
John DeMaggio (*arrived at 7:36 p.m.*)
Chris Silveira

Absent: Bendrix Bailey, Clerk
Michael Murphy, Associate Clerk

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

Chairman Johnson called the meeting to order at 7:07 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 of September 24, 2019 was made by Member Carr and seconded by Vice Chairman Florindo. **The motion was passed by a vote of 4 in favor, 0 opposed, 0 abstained (4-0-0).**

Vouchers

A motion to approve a voucher for Field Engineering/Borrego Solar Systems Rounseville Road Escrow Account in the amount of \$250.00 was made by Member Carr and seconded by Vice Chairman Florindo. **The motion was passed by a vote of 4 in favor, 0 opposed, 0 abstained (4-0-0).**

A motion to approve a voucher for Field Engineering/Countryside Child Care/15 Cranberry Highway in the amount of \$125.00 was made by Member Carr and seconded by Vice Chairman Florindo. **The motion was passed by a vote of 4 in favor, 0 opposed, 0 abstained (4-0-0).**

PUBLIC HEARINGS

(Continued from October 8, 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 engineering company requested a continuance to November 12, 2019.

A motion to continue the Public Hearing to November 12, 2019 was made by Member Carr and seconded by Vice Chairman Florindo. **The motion was passed by a vote of 4 in favor, 0 opposed, 0 abstained (4-0-0).**

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TOWN PLANNER UPDATES

IGS Solar (formerly Melink) Snipatuit Road

Town Planner Starrett reported IGS Solar has completed all the requested work other than reconnecting the barbed wire fence. There was discussion about whether the barbed wire was required. Sarah Rosenblat, Development Manager of SWEB Development USA, LLC explained the National Electric Code requires either a 6 feet fence with barbed wire or a 7 feet straight fence. Town Planner Starrett reported they are in the process of fixing the fence.

Borrego Solar Rounseville/Mendell Road Solar Project

Town Planner Starrett reported the wicks are installed. Chairman Johnson asked if they are working. Town Planner Starrett replied that Ken Motta was going to monitor them. Member Silveira asked if water is still visible. Town Planner Starrett responded yes. He added that Borrego Solar has done everything that was required in the decision and they have requested a site plan visit. Chairman Johnson stated they will first see if the wicks are working.

Old Middleboro Road Solar Project

Town Planner Starrett mentioned he has asked Christopher Gerrior, 1 Perez Smith Lane, to accompany him to see the cellar hole on the site. He added that it's near the basin, but not in the proposed solar farm. Chairman Johnson noted that Town Planner Starrett and Ken Motta are going to locate and map it. Chairman Johnson also noted the Planning Board will put in a condition in the decision that work will stop if they encounter any stone walls that are not mapped.

Gibb's Mill

Town Planner Starrett stated there was interest in the Gibb's Mill property next to the cemetery. Chairman Johnson noted they will need an archaeological survey and that it's turtle habitat. He explained a past situation with the property where the Natural Heritage and Endangered Species Program and the Massachusetts Historical Commission were both involved. The MA Historical Commission wanted to dig holes for archaeological purposes but the NHESP said they couldn't dig holes. He noted that any potential owner will face the same issue. There was some discussion about the number of lots and the lot lines.

For Review: Draft Decision/SWEB Development USA, LLC

Vice Chairman Florindo suggested adding the phrase "earth removal" in #13 under Standard Conditions in the draft decision.

Town Planner Starrett noted there hasn't been agreement regarding the bond amount. Chairman Johnson stated the decommissioning bond is \$450,000. The bond that covers the screening, landscape, and stormwater management is \$160,000 and the bond that covers the two growing seasons of landscaping is \$170,000.

Chairman Johnson explained the only other change is in #3 under Special Conditions and that requires they redo the flag test. He noted that typically, panels have been 8 feet high, but in this situation the equipment will be at a higher elevation than the panels.

Ms. Rosenblat asked to have the address updated to where they are currently located. Town Planner Starrett stated the address on the front was the address at the time of application. Chairman Johnson asked which address is on the plan. Town Planner Starrett responded it the old one. Chairman Johnson recommended sticking with that one.

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Chairman Johnson explained the object of the meeting on October 31, 2019 is to vote on the decision and open the hearing on Old Middleboro Road.

Ms. Rosenblat commented on #7 under Special Conditions which states “A final Determination of No-Take from the Natural Heritage and Endangered Species Program (NHESP) must be obtained prior to any construction activity on the site.” She explained that NHESP does not give out a no take when there are any species on site. She noted the best they can get is a no take with conditions. She will request a second letter saying that conditions have been met.

Chairman Johnson asked if the Massachusetts Department of Transportation has issued a permit yet. Ms. Rosenblat responded no and added that MassDOT waits for the Planning Board’s decision.

Town Planner Starrett asked how soon they will be able to start work. Ms. Rosenblat responded that they want to get going as soon as possible. Their biggest wait is for Eversource. However, they received notification from Eversource that their project is next in line. She noted that it takes 6 months to a year for a system impact study for Eversource. Vice Chairman Florindo suggested they could work through the winter. Ms. Rosenblat stated they would have to hold off when the ground freezes.

Town Planner Starrett asked Craig Canning, the property owner, if he will move the greenhouses on his property. Mr. Canning responded that he will wait until SWEB is ready to start construction.

(Member DeMaggio arrived at 7:36 p.m.)

Town Planner Starrett noted he will check on one paragraph that may be missing from the decision.

DISCUSSION

Zero Waste Solutions

Charles Clemishaw, 631 County Road, asked if Zero Waste Solutions is supposed to clean up at night when they leave. He said he notices a large amount of material early in the morning. Chairman Johnson responded that they couldn’t leave material overnight until the fire suppression system was installed. Chairman Johnson noted they are closing the doors at night. He also commented that he didn’t know where they are with their DEP permit to extend their hours. He suggested Town Planner Starrett check with the Board of Health.

ADJOURNMENT

A motion to adjourn at 7:40 p.m. was made by Member DeMaggio. **The motion was passed by a vote of 5 in favor, 0 opposed, 0 abstained (5-0-0).**

Marissa Perez-Dormitzer, Recording Secretary

Arnold Johnson, Chairman