

**Rochester Planning Board
Minutes of November 12, 2019**

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

Absent: Michael Murphy, Associate Clerk

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

Chairman Johnson called the meeting to order at 7:04 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 October 22, 2019 was made by Member Silveira and seconded by Member DeMaggio. Clerk Bailey abstained. **The motion was passed by a vote of 5 in favor, 0 opposed, 1 abstained (5-0-1).**

A motion to approve the minutes of October 31, 2019 was made by Clerk Bailey and seconded by Member Carr. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

Voucher

A motion to approve a voucher for Field Engineering for work on SWEB Development Marion Road Solar Project in the amount of \$4,525.00 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).**

Mullin Rule Affidavit

Member Carr signed a Mullin Rule Affidavit for Solar MA Project Management, LLC /Old Middleboro Road.

PUBLIC MEETING:

Approval Not Required Application

Steen Realty Development, 22 Cranberry Highway, Map 17, Lots 41C and 50

Phil Cordeiro of Allen & Major Associates, Inc. explained the ANR plan divides the land into several lots, two of which are for multifamily development and the remaining will be dedicated to commercial development.

A motion to approve an Approval Not Required plan for Rochester Crossroads, LLC prepared by Steen Realty Development Corporation dated October 4, 2019 was made by Clerk Bailey and seconded by Member Carr. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

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PUBLIC HEARINGS

(Continued from October 22, 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.

(Member Carr recused himself from the Public Hearing.)

Brian Wallace of JC Engineering, Inc. provided an update on the project. They received peer review comments from Field Engineering, the Planning Board's peer review engineer. Updated plans were submitted dated November 7, 2019. Ken Motta of Field Engineering indicated all his comments were addressed. Mr. Wallace noted they will provide a better description of what each phase will include on the plan and they addressed mosquito control in the long-term operations and maintenance plan. He reported the Conservation Commission is satisfied with the project. He stated he met with the Rochester Historical Commission and they made some changes. The Planning Board has the latest architectural plans dated May 15, 2019. Mr. Wallace noted he wanted to discuss setting a date for a site visit before the next meeting on December 10, 2019.

Chairman Johnson stated they will need to provide a schematic for the lighting on the community building. They will also need to provide a diagram of their sign and the dumpster locations need to be on the plan. Chairman Johnson also noted they will need to provide some calculations on how much cut and fill will take place in the back for the septic system. Chairman Johnson asked if Town Planner Starrett verified the spacing between the buildings. Town Planner Starrett responded no. Mr. Wallace noted they haven't changed the layout of the buildings. He commented that for some units there will be an option of a sunroom and deck. Chairman Johnson noted Town Planner Starrett will have to calculate the floor plan as the maximum. Chairman Johnson noted the trees in the double barrel throughway need to be removed as requested by the Fire Chief.

Sarah Johnston from the Historical Commission reported they haven't voted on the specific building design. They have a meeting on December 11, 2019. She asked if the applicant needs approval from the Historical Commission in order to be approved by the Planning Board. Chairman Johnson responded that the Planning Board has architectural control, but they will wait for approval from the Historic Commission before issuing a final decision. Gloria Vincent from the Historical Commission stated they are looking for everything to be straightened out before giving approval. She noted that when the Historical Commission gives approval, they provide a certificate that can be taken to the Building Department. Chairman Johnson added that there are many things that still need to be done including the homeowner's association documents and Mr. Motta will provide a report that needs to be reviewed.

Mr. Wallace stated he thought the homeowner's association documents could be drafted and reviewed after approval of the project. Chairman Johnson responded that they wouldn't be able to get a building permit. He added that it could be a condition of approval, but they won't be able to start work. Chairman Johnson asked if they have an updated operations and maintenance plan. Mr. Wallace responded yes.

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Town Planner Starrett mentioned scheduling a site visit. Chairman Johnson asked if the area is staked. Mr. Wallace responded that the Conservation Commission is holding their site visit on November 16, 2019 and several spots are staked as requested by them. Chairman Johnson stated they will want to see areas in the back that will be filled. In response to a question from Vice Chairman Florindo, Mr. Wallace stated they will keep as much vegetation as reasonably makes sense. He added they don't want to cut more trees than needed.

Town Planner Starrett noted the next meeting is December 10, 2019 and asked when they would be ready for a site visit. Mr. Wallace responded that they could be ready as early as the next weekend. Members agreed to a site visit on November 24, 2019 at 9:00 a.m.

Mike LaCava of REpurpose Properties asked for clarification on the order of approval from the Historical Commission and the Planning Board. Chairman Johnson explained if the Planning Board approves the project and the Historical Commission hasn't voted, the Planning Board can put a condition in the decision that their approval is required prior to the start of work. If the Historical Commission makes any changes, the Planning Board will have to decide whether it's a minor or major change. Chairman Johnson added the Planning Board would possibly issue a decision on the project in January.

A motion to continue the Public Hearing to December 10, 2019 was made by Member Silveira and seconded by Clerk Bailey. **The motion was passed by a vote of 5 in favor, 0 opposed, 0 abstained (5-0-0).**

(Member Carr resumed his role in the Public Hearing.)

A Large Scale Photovoltaic Installation Special Permit application was filed by Pedro Rodriguez of Solar MA Project Management LLC, 143 West Street, Suite C201, New Milford, CT 06776 for properties located at 0 Walnut Plain Road/0 Old Middleboro Road, designated as Map 22, Lot 3 and Map 23, Lots 6, 6D, 7, 21, 23, and 31. The property owners of record are Decas Cranberry Co., Inc., 4 Old Forge Drive, Carver, MA 02330, Diana Murphy, Trustee Midchester Realty Trust, 24 Old Powerhouse Road, Lakeville, MA 02347, and MWH, LLC, 405 Washington Street, Braintree, MA 02184. The applicant proposes the construction of a ground-mounted photovoltaic solar array generation facility and roadway improvements to Old Middleboro Road, an unpaved road that provides access to the array.

Matthew Bombaci of Bohler Engineering reported there have been very few changes to the plan. He referred to a diagram on the Samsung Flip as he spoke. He stated that Pedro Rodriguez of Solar MA Project Management LLC agreed to modify the solar array to preserve the existing stone foundation. Mr. Bombaci stated they met with the Conservation Commission and had a site walk scheduled for November 16, 2019. They have staked the property as requested by the Conservation Commission and had initially planned on a site visit by the Planning Board on November 16, 2019. Chairman Johnson stated they were still waiting on a report from Ken Motta.

Town Planner Starrett mentioned there were multiple walls in the area of the stone foundation and asked if they intended to isolate the whole area outside the fence. Mr. Rodriguez responded that the area with the old foundation is staked. He added that there is one stone foundation and a well.

Vice Chairman Florindo asked the distance from Old Middleboro Road to the fence line. Mr. Bombaci initially estimated it to be 160-180 feet. Town Planner Starrett noted that the distance was

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more likely to be 300 feet. Vice Chairman Florindo asked if they were going to leave the trees. Mr. Bombaci responded yes.

Members agreed to a site visit on November 24, 2019 at 10:30 a.m.

Mr. Rodriguez asked if they would return for the meeting on December 10, 2019. Chairman Johnson responded yes. Mr. Rodriguez asked if the Planning Board would vote at the December meeting. Chairman Johnson explained the process and concluded the decision would be voted on at the second meeting in January.

A motion to continue the Public Hearing to December 10, 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).**

DISCUSSION

Members agreed to a site visit to Borrego Solar Rounseville/Mendell Road Solar Project at 9:00 a.m. on November 16, 2019.

ADJOURNMENT

A motion to adjourn at 7:53 p.m. was made by Member DeMaggio and seconded by Member Carr. **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