

Rochester Planning Board
Minutes of January 11, 2021 2022

Present: Arnold Johnson, Chairman
John DeMaggio, Vice Chairman
Bendrix Bailey, Clerk
Michael Murphy, Associate Clerk
Marc Rousseau
Lee Carr
Chris Silveira

Absent: None

Nancy Durfee, Town Planner
Victoria D'Antoni, Board Administrator
Lori Walsh, Recording Secretary

Members joined in-person at Old Colony Regional Vocational Technical High School. Chairman Johnson called the meeting to order at 7:13 p.m. and stated the meeting was being recorded.

PUBLIC HEARINGS

A Solar Energy Facility Installation Special Permit Application and Special Permit Application for Groundwater Protection, filed by Renewable Energy Development Partners, LLC, for property located at 109 Neck Road, Map 40, Lot 3.

Sarah Stearns, from Beals and Thomas, was present. They are waiting on Field Engineering's peer review and are here tonight to answer any questions that the Board may have. Chairman Johnson said that they leave the screening open so that they can have a look at it to make sure there are no issues once constructed. Town Planner Nancy asked for an update on the electrical poles. Ms. Stearns said they are waiting to hear from Eversource.

A motion was made by Bendrix Bailey, seconded by Mike Murphy, to continue the public hearing to January 25, 2022. The motion carries unanimously.

BOARD BUSINESS

Minutes

A motion was made by Mike Murphy, seconded by Bendrix Bailey, to approve the December 14, 2021 meeting minutes as submitted. The motion carries unanimously.

Vouchers

A motion was made by Mike Murphy, seconded by Bendrix Bailey, to approve the Field Engineering voucher for Cushman Road Solar. The motion carries unanimously.

A motion was made by Bendrix Bailey, seconded by Mike Murphy, to approve the Field Engineering voucher for Village at Plumb Corner. The motion carries unanimously.

A motion was made by Bendrix Bailey, seconded by Mike Murphy, to approve the Field Engineering voucher for Old Middleboro Road. The motion carries unanimously.

A motion was made by Bendrix Bailey, seconded by Mike Murphy, to approve the Fileguard voucher. The motion carries unanimously.

A motion was made by Bendrix Bailey, seconded by Mike Murphy, to approve the Staples voucher. The motion carries unanimously.

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NEW BUSINESS AND PUBLIC COMMENTS

Review Budget

Town Planner Nancy Durfee suggested to keep the budget level funded. Regarding the line items for Adobe and Dropbox, the Town currently has Adobe already so they don't need add it as a budget item. The Board should subscribe to Dropbox, instead of the free account they are using now.

A motion was made by Bendrix Bailey, seconded by Mike Murphy, to approve the budget. The motion carries unanimously.

TOWN PLANNER UPDATES

MBTA Communities New Requirements and Compliance in 2022

Town Planner Durfee stated that the MBTA Communities consist of 175 municipalities that have been identified by having a rail station and/or abut a community with a rail station. The Governor signed an economic development package into law, known as Chapter 358 of the Acts of 2020. This bill included zoning reforms that enable communities to adopt certain housing by a simple majority at town meeting.

The same bill included a new multi-family zoning requirement for MBTA Communities. Rochester is considered an MBTA Adjacent community due to the proximity of the Middleborough/Lakeville station. The changes are included in Chapter 40A, Section 3A that requires adopting a zoning district for multi-family housing district, "as by right". A letter was recently sent to the Board of Selectmen telling them that Rochester is an MBTA Community and the requirements that they have to meet. The Town will need have to have a presentation to the Board, complete an MBTA community informational form and update the parcel data by May 1st of 2022. Chairman Johnson said that they can do a cost benefit analysis. Town Planner Durfee told the Board that there is a webinar tomorrow about the new requirement. Deadlines are 2023 to have a plan, and 2024 to have a zone adopted.

General Update

Old Middleboro Road should be receiving their solar panels soon. Drainage at Plumb Corner Mall has been completed, with the exception of the extension to the wetlands. They are still working on the septic system. The applicant requested to work on Martin Luther King Day, and construction crews were permitted to work inside only.

The Board had requested clarification from legal counsel on the setbacks for solar projects less than 200 kW's. Response from legal counsel substantiated the Board should consider the impact to the neighborhood, as they would for any site plan review, there is no specific number for the minimum setback, and what does the Board consider reasonable for site conditions. Chairman Johnson said, put the setback back to 300 feet.

Escrow, Bonds, and Surety Report

Chairman Johnson went over the escrow accounts that can be refunded, bonds that need to be renewed or released, and inspections to take place in the spring prior in order for certain bonds and/or escrow funds to be released. Town Planner Durfee said that they will further investigate the specific accounts covered by the Board and report back. The Town Planner Durfee and Administrator D'Antoni will put all the bonds on a spread sheet and add them to the calendar to keep us abreast of when the accounts expire in order for the projects to stay in compliance with the Boards decision.

Solar Map

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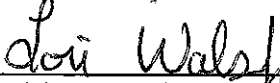
Town Planner Durfee worked with Sarah Williams of the Buzzards Bay Estuary Program, to update the solar project map in Rochester. The Rochester Solar Map is currently available on the Town of Rochester website. Town Planner Durfee said that she is also working with Ms. Williams on a Chapter 61 parcels map.

OLD BUSINESS

Chairman Johnson stated that there are a few projects that will be filing with the Planning Board soon. Arch at the Meadow, the cell tower project, the old dairy farm, and the solar panels going over the RMS parking lot.

ADJOURNMENT

A motion was made by John DeMaggio, seconded by Bendrix Bailey, to adjourn at 8:16 p.m. The motion carries unanimously.



Lori Walsh, Recording Secretary



Arnold Johnson, Chairman