

**Rochester Planning Board
Minutes of April 12, 2022**

Present: Arnold Johnson, Chairman
Bendrix Bailey, Clerk
Michael Murphy
Chris Silveira
Mark Rousseau
Lee Carr - Absent
John DeMaggio, Vice Chairman

Nancy Durfee, Town Planner
Dawn DeMaggio, Administrative Assistant
Lori Walsh, Recording Secretary

The meeting convened via Zoom Meeting ID 882 7995 0158. Members joined in-person at Old Colony Regional Vocational Technical High School, in the cafeteria. Chairman Johnson called the meeting to order at 7:04 p.m. and stated the meeting was being recorded.

PUBLIC MEETINGS

Approval Not Required Applications

Robert A. Lawrence, for the property located at 253 Hartley Road, Map 39 Lot 19A

The Approval Not Required for the property located at 253 Hartley Road, Robert A. Lawrence. The intent of the Approval Not Required to create transfer Parcel A (0.69 acres) from Map 39 Lot 19A to Map 39 Lot 19B as shown on the plan, titled A Division of Land, for 352 Hartley Road – Assessors Map 39 Lot 19A, prepared by John L. Libby Consulting. The lot meets the frontage and setback requirements and is located in an Agricultural/Residential District.

A motion was made by Bendrix Bailey, seconded by Mike Murphy, to approve the Approval Not Required application. The motion carries unanimously with a roll call vote of 7.

PUBLIC HEARINGS

(Continued from March 8, 2022) A Cell Tower Installation Site Plan Review Application, filed by Industrial Tower and Wireless, LLC, for property located at 0 High Street, Map 19 Lot 5. The applicant proposed the construction of a 190-foot monopole telecommunications tower. The applicant's representative is Shayna Galinet, Industrial Tower and Wireless, LLC.

The applicant requested to continue the hearing until April 26th, 2022.

A motion was made by John DeMaggio, seconded by Bendrix Bailey, to continue the public hearing to April 26, 2022. The motion carries unanimously.

A Playground Relocation and Installation Site Plan Review application, filed by J.C. Engineering, for the property located at 565 Rounsville Road (Route 105), Rochester, MA 02770, Map 30, Lot 25 D.

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The applicant proposes to relocation and installation of a 5,050 s.f. playground for the Countryside Daycare requiring Site Plan and review of work on a Scenic Highway approval. The applicant's representative is J.C. Engineering, Inc. 2854 Cranberry Highway, East Wareham, MA, 02538. The property owner is Sophia Giannaros-Darras & Basil T. Darras, Trustees, 79 Walpole Street, Dover, MA 02030.

Brian Wallace from JC Engineering was present to speak to the Board. Mr. Wallace provided a comprehensive summary of the playground relocation and safety measures being proposed for the Countryside Daycare project. Mr. DeMaggio asked, about the trash containers, and what direction will they be facing. Mr. Wallace responded that the trash containers would be rotated at a 45° (degree) angle, not facing the building.

Chairman Johnson knew that there has been a conversation with the owner of Matt's Blackboard, but had anyone discussed the trash containers relocation with any other tenants/owners located in the Plumb Corner Mall. Mr. Wallace replied that other tenants hadn't been reached yet, but they will do so prior to the next meeting. Chairman Johnson said that they need to reach out to them and they need to be a part of this project. He does not want any angry business owners, complaining after the fact saying that they weren't told about the changes being proposed. He also mentioned to Mr. Wallace, that he should check with the Town about where to put the trash containers. Adding, placing the dumpsters together is a good strategy, but there are concerns with drainage. Currently the flow of water behind Plumb Corner may force the trash receptacles to be located on a concrete pad. Chairman Johnson also said, to check with the Board of Health because they may require placing the receptacles on a concrete pad.

Chairman Johnson, requested the sum of \$1,500 for peer review of the playground relocation in order to have an engineer review the proposed plans for safety and drainage.

A motion was made by Bendrix Bailey, seconded by Michael Murphy, to continue the public hearing to April 26, 2022. The motion carries unanimously.

BOARD BUSINESS

Minutes

Bendrix Bailey made a motion to approve the, March 8, 2022 minutes, seconded by John DeMaggio. The motion carries unanimously with a roll call vote of 7.

Bendrix Bailey made a motion to approve the March 12, 2022 minutes, seconded by John DeMaggio. The motion carries unanimously with a roll call vote of 7.

Vouchers

A motion was made by, Bendrix Bailey, seconded by Mike Murphy, to approve Field Engineering invoice #10518, for The Village at Plumb Corner, \$2,900.00. The motion carries unanimously.

Review

Final Draft Decision – Special Permit, Renewable Energy LLC, 109 Neck Road

Bonds will need to be in place prior to construction

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A motion was made by, Bendrix Bailey, seconded by Mike Murphy, to approve the final draft decision for the Special Permit for Renewable Energy, LLC. The motion carries unanimously.

Solar Screening Bylaw

The Town Planner stated that it had come to the Board's attention that screening for solar project was not clear in the Zoning Bylaws, so the draft Solar Screening Bylaw language aims to correct that. Chairman Johnson, mentioned that this is for solar arrays, so that residents are not able to see them from their front porch or out there first floor window. Additional changes to the language will be made prior to presenting the Bylaws to the Select Board.

Arbor Funding Bylaw

Town Counsel, Blair Bailey was in attendance to assist the Planning Board with the Arbor Funding Bylaw and any necessary changes to the draft language. The language needs to be considered final prior to the Select Board meeting, since there can be no changes made. Attorney Bailey, addressed the Board concerning the draft Arbor Funding Bylaw. The Board had concerns with the fees being attached to single family house lots. Attorney Bailey, made it clear that the Bylaw as written addresses the clearing of larger development projects such as subdivisions, and solar projects without identifying one type of project. Chairman Johnson asked if the Planning Board could waive this requirement? Attorney Bailey, responded that the language could reflect the ability of the Board to waive this requirement.

Vote

Appointment to Capital Funding Committee

Appoint someone to the Capital Funding Committee.

A motion was made by, Bendrix Bailey, seconded by Mike Murphy, to appoint Barry Patraiko to the Capital Funding Committee. The motion carries unanimously.

2022-2023 Appointment to Southeastern Regional Planning and Economic Development District (SRPEDD) Commission Member.

Appoint someone to the SRPEDD Commission.

A motion was made by, Bendrix Bailey, seconded by Mike Murphy, to appoint Nancy Durfee to the SRPEDD Commission. The motion carries unanimously.

NEW BUSINESS & PUBLIC COMMENTS

The Village at Plumb Corner

Kenny Motta, from Field Engineering and Brian Wallace from JC Engineering were present to discuss ongoing drainage issues Mr. Motta, reviewed the memo dated April 12, 2022, drafted by Field Engineering with regards to rain event that occurred April 8, 2022 and the impacts to the Village at Plumb Corner project. Mr. Motta was on site on Friday, April 8th, with Highway Surveyor, Jeff Eldridge and Town Planner, Nancy Durfee to inspect problems to the site and abutting properties based on water runoff and stormwater drainage systems. Chairman Johnson, added that residents are living on site and this

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needs to be addressed. Mr. Motta added, that the project developers have been proactive and responsive to the issues identified in the memo, but more needs to be done to ensure the stormwater drainage is working properly in the future. A stormwater management plan should also be submitted to the Board for their review and consideration. Controlling stormwater runoff needs to be addressed.

A motion was made by, Bendrix Bailey, seconded by John DeMaggio, to require the Village at Plumb Corner to follow the guidelines provided in the project memo, dated April 12, 2022, from Field Engineering, specifically items 1-5 as follows: form C, Erosion Controls in the area provided in paragraph 1; stabilize the area identified in paragraph 2 and 3, install permanent trash racks or provide and invoice or other evidence from the company showing that trash racks have been ordered, place appropriate stone in basin #1, and smaller size stone as required, clean basins of sediments, and provide a copy of the stormwater control plan using the existing plan as base, adding lesson learned from the recent rain event, and require the Town Planner to conduct a site visit. The motion carries unanimously.

TOWN PLANNER UPDATES

Town Planner Durfee, reminded the Planning Board of the need to conduct site visit at a number of constructed solar projects to determine whether the board can release their bonds for landscaping and stormwater. Chairman Johnson, asked that Durfee put a list of sites together and they will decide when they will conduct the site visits.

Town Planner reported that a letter was sent to Arch at the Meadows with regards to the filing an application for Site Plan Review. Attorney Bailey added, in his opinion they need to file with the Board as soon as possible.

ADJOURNMENT

A motion was made by John Demaggio, seconded by Bendrix Bailey, to adjourn at 8:56 PM. The motion carries unanimously.

Next meeting will be April 26, 2022

Date: 5/10/2022

C. M. Johnson
Chairman, Arnold Johnson

Lori Walsh
Lori Walsh, Recording Secretary