

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

Absent: Nancy Durfee, Town Planner

Dawn DeMaggio, Board Administrator
Lori Walsh, Recording Secretary

The meeting convened via Zoom Meeting ID 894 0308 8643. Members joined in person and Chairman Johnson called the meeting to order at 7:05 p.m. at Old Colony Regional Vocational Technical High School and made everyone aware that the meeting was being televised and recorded via digital audio recorder.

PUBLIC MEETINGS

Approval Not Required Application

Glenn Lawrence and Laurie Whitney-Lawrence, are pursuing an Approval Not Required for the property located on Mendell Road, Map 28, Lot 24 & 24A

Brian Grady from G.A.F. Engineering was present at the meeting representing Laurie and Glenn Lawrence, also present. Mr. Grady presented the purpose for pursuing an Approval Not Required for Map 28 Lots 24 & 24A. Mr. Grady stated, that the Lawrence's are looking to take a small portion of equal size (525 sq.ft.) from the properties located at 332 Mendell Road and 0 Mendell Road and transfer them. The property located at 332 Mendell Road has a dwelling situated on it and 0 Mendell Road has a venue occupation, known as Arch at the Meadow. This is basically a land swap and no new lots are being created. The purpose of the ANR is to ensure the driveway for Arch at the Meadow is situated on the appropriate parcel.

Bendrix Bailey made a motion to approve the plan from G.A.F. Engineering for Laurie and Glenn Lawrence, Approval Not Required under the Subdivision Rule and Regulations. John DeMaggio seconded the motion. **Motion passes with a roll call vote of 7.**

Laurie Whitney-Lawrence mentioned that the Building Inspector conducted a site inspection for the Arch at the Meadow and instructed them to install a paved ADA accessibility ramp. Chairman Johnson said they would discuss this with the Building Inspector. The Planning Board also needs the applicants to file an application for a Site Plan Review.

PUBLIC HEARINGS

BOARD BUSINESS

Vouchers

A motion to approve a voucher for Field Engineering /Old Middleboro Road/Invoice #15166 in the amount of \$1,375.00 was made by Clerk Bailey and seconded by Member DeMaggio. **The motion passed by a vote of 7 in favor, 0 opposed, 0 abstained. (7-0-0).**

A motion to approve a voucher for Field Engineering/Connet Woods/Invoice #15163 in the amount of \$500.00 was made by Member DeMaggio and seconded by Clerk Bailey. **The motion passed by a vote of 7 in favor, 0 opposed, 0 abstained. (7-0-0).**

A motion to approve a voucher for Field Engineering/The Village/Invoice #15164 in the amount of \$875.00 was made by Member DeMaggio and seconded by Clerk Bailey. **The motion passed by a vote of 7 in favor, 0 opposed, 0 abstained. (7-0-0).**

A motion to approve a voucher for W.B. Mason/Supplies-Pencils/Invoice #230177384 in the amount of \$12.20 was made by Member DeMaggio and seconded by Clerk Bailey. **The motion passed by a vote of 7 in favor, 0 opposed, 0 abstained. (7-0-0).**

A motion to approve a voucher for Commonwealth of Mass/Notary Public Fee/ in the amount of \$60.00 was made by Member DeMaggio and seconded by Clerk Bailey. **The motion passed by a vote of 7 in favor, 0 opposed, 0 abstained. (7-0-0-).**

Signatures

Plymouth County Registry of Deeds, Current Member Signatures

NOI Chapter 61B, off Feathered Lane, Map 46, Lot 24

Letter needs to be revised that the land is being leased not sold before Chairman Johnson will sign.

Clerk Bailey made a motion to recommend the Selectmen to not exercise their right of first refusal and allow the Chairman to sign the revised letter and seconded by Member Demaggio. **The motion passed by a vote of 7 in favor, 0 opposed, 0 abstained. (7-0-0-).**

New Business and Public Comments

Chairman Johnson said that regarding the playground at Plumb Corner, the applicant asked to hold off on signing the decision until the owner of the property has reviewed the decision. Chairman Johnson is also still waiting for comments from Town Counsel, Blair Bailey.

Chairman Johnson asked, the Board what they would like to do about Marion Road trees removed from the property. The Buzzard Bay Coalition have still not responded to correspondence provided to them. Chairman Johnson mentioned, the Coalition did work before coming in for a permit. Member Murphy said, they should put a lien on the property. Chairman Johnson responded, that the

property has been transferred to new owners. He also added, maybe the Board should make a motion to send a certified letter and that states they will begin the process to start fining them.

Clerk Bailey said, the letter can be sent to the new property owner. He also said, if the Coalition didn't disclose to the new owners about the work they did without a permit, then they are still on the hook for it. Clerk Bailey added, that the only thing the Board can do is to issue an order to the new owners stating that if they don't come in and get a permit, then the Board will start fining them. Member Murphy said, that they should ask the Town Attorney if he knows how to handle this. Clerk Bailey said, that they had violations before the property was transferred. Member DeMaggio asked, if this was not disclosed to the new owners, then why can't the Board retroactively place fines to the Buzzards Bay Coalition. Clerk Bailey said the violation will need to go through the new owners.

Clerk Bailey made a motion to send a letter to the new owners and let them know that if they do not come in to fill out the paperwork for a permit, then the Board will start issuing citation by the next meeting which is July 12th. All they need to do to avoid the fines is respond to the letter we are sending them and give them until the next meeting. Member Murphy seconded the motion. **The motion passed by a vote of 4 in favor, 3 opposed, 0 abstained. (4-3-0).**

OLD BUSINESS

Braley Hill North Solar- Revised Extension – Chairman Johnson, said, the Scenic Highway Permit portion of the original decision was inadvertently left off of the previously signed extension, this corrects the original extension dated May 24, 2022. Board just needs to sign the extension tonight.

RE-ORGANIZE THE BOARD

Member Murphy mad a motion for the Board to stay the same and was seconded by Member Demaggio. **The motion passed by a vote of 7 in favor, 0 opposed, 0 abstained. (7-0-0).**

ADJOURNMENT

A motion to adjourn at 7:35 p.m. was made by Member DeMaggio and seconded by Clerk Bailey. **The motion was passed by a vote of 7 in favor, 0 opposed, 0 abstained. (7-0-0).**



Arnold Johnson, Chairman

Lori Walsh, Recording Secretary

Below is a link to the recorded June 28, 2022, meeting of the Planning Board:

[6/28/22 - Rochester Planning Board on Vimeo](#)