

**Rochester Planning Board  
Minutes  
December 13, 2022**

**Present:** Arnold Johnson, Chairman  
Bendrix Bailey, Clerk  
John DeMaggio  
Michael Murphy  
Chris Silveira

**Absent:** Lee Carr  
Marc Rousseau

Nancy Durfee, Town Planner  
Dawn DeMaggio, Board Administrator  
Lori Walsh, Recording Secretary

**The meeting convened via Zoom Meeting ID 849 6365 7965. Members joined in-person at Old Colony Regional Vocational Technical High School. Chairman Johnson called the meeting to order at 7:00 p.m. and stated the meeting was being recorded.**

**PUBLIC HEARINGS**

**A Special Permit and Site Plan Review application to construct a Large Scale Solar Photovoltaic System within the Residential/Agricultural District, Groundwater Protection District and the Mattapoisett River Valley Watershed, filed by Solest Energy Development, 89 Hayden Rowe Street, Hopkinton, MA. 01748, Map 37, Lot 36. The applicant proposes the construction of a Canopy Mounted 250kW AC Large Scale Solar Photovoltaic System at Rochester Memorial School over a portion of the existing rear paved parking lot, 59 Hartley Road, Rochester, MA, 02770. The applicant's representative is Green Seal Environmental, Inc., 114 State Road, Sagamore Beach, MA, 02562.**

Green Seal Environmental requested an extension until January 24, 2023, in order to provide more time to revise the plans. Steven Gregory representing Solest Energy Development attended the hearing to discuss screening and landscaping. Mr. Gregory wanted further information with regards to landscape plans and site transit mentioned in Field Engineering's memo. Town Planner Durfee mentioned Field Engineering provided some photographs, which was shared on the Zoom meeting screen. Discussion ensued with the Chairman and the Board Members regarding the landscaping and the trees.

Chairman Johnson reported that in the Field Engineering report the applicant should rewrite the waiver letter, since some of the waivers should be withdrawn because they do not apply to this project.

Clerk Bailey made a motion to extend the hearing until January 24<sup>th</sup> at the request of the applicant.

Member Murphy seconded the motion.

**The motion was passed by a vote of 5 in favor, 0 opposed, 0 abstained. (5-0-0)**

**A Modification to Definitive Subdivision and Flexible Development Plan to eliminate McCombe Place and substitute with three building lots, filed by Edgewood Development, 3**

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**Belcher Street, Plainville, MA. 02762, Map 30, Lot 25D.** The applicant requests a modification/amendment of a previously approved Subdivision in order to eliminate a subdivision road and convert 10 approved lots to 3 lots located at Box Turtle Drive in Connet Woods, Rochester, MA, 02770. The applicant's representative is Bay Colony Group, 4 School Street, Foxborough, MA, 02035.

Steven Meltzer from Edgewood Development was present to discuss this project. Mr. Buckley was also present.

Chairman Johnson asked if the items from the site visit had been completed yet. Town Planner Durfee said she is not sure if everything on that part of the site visit was completed. Mr. Meltzer said everything was done except the trees. Discussion ensued with the Board and Mr. Meltzer.

Member Silveira made a motion to close the public hearing.  
Clerk Bailey seconded the motion.

**The motion was passed by a vote of 5 in favor, 0 opposed, 0 abstained. (5-0-0)**

**BOARD BUSINESS**

**Minutes:** September 13, 2022 (FINAL), October 11, 2022 (FINAL) and October 25, 2022 (FINAL)

Member DeMaggio made a motion to approve the minutes for September 13, 2022.  
Clerk Bailey seconded the motion.

**The motion was passed by a vote of 5 in favor, 0 opposed, 0 abstained. (5-0-0)**

Member DeMaggio made a motion to approve the minutes for October 11, 2022.  
Clerk Bailey seconded the motion.

**The motion was passed by a vote of 5 in favor, 0 opposed, 0 abstained. (5-0-0)**

Member DeMaggio made a motion to approve the minutes for October 25, 2022.  
Clerk Bailey seconded the motion.

**The motion was passed by a vote of 5 in favor, 0 opposed, 0 abstained. (5-0-0)**

**REVIEW**

Rockland Trust Co., Drive-Up/Walk-Up Kiosk – Draft Decision  
Town Planner told the Board the decision needs to be revised and it will be added it to the January 10<sup>th</sup>, Agenda.

**VOUCHERS**

Fileguard, Monthly Storage, Invoice #81276, \$9.00  
W.B. Mason, Office Supplies, Invoice #234056715, \$89.71  
Staples, Office Chair, Invoice #15975, \$159.97

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Field Engineering, Village at Plumb Corner, Invoice #15432, \$1,325.00  
Field Engineering, Village at Plumb Corner, Invoice #15431, \$375.00  
Field Engineering, Playground at Plumb Corner, Invoice #15433, \$250.00  
Field Engineering, Connet Woods, Invoice #15430, \$1,250.00

Clerk Bailey made a motion to ratify the Chairman signing the vouchers for approval.  
Member Murphy seconded the motion.

**The motion was passed by a vote of 5 in favor, 0 opposed, 0 abstained. (5-0-0)**

**NEW BUSINESS & PUBLIC COMMENTS**

**Village at Plumb Corner Mall, Drainage As-built**

The Planning Board is still waiting for a letter from the property owner saying that she will take responsibility for the drainage operation and maintenance plan. Until they get that letter they won't sign off on the as-built.

**Village at Plumb Corner, Phase III Surety**

The applicant provided a surety amount and Field Engineering reviewed the figures and adjusted the amount to include a contingency. Brian Wallace sent an email stating they agree with Field Engineering figure. The surety provides an opportunity for Phase III to begin.

Clerk Bailey made a motion for them to go ahead and start Phase III pending the surety.  
Member Murphy seconded the motion.

**The motion was passed by a vote of 5 in favor, 0 opposed, 0 abstained. (5-0-0)**

**TOWN PLANNER UPDATES**

Town Planner Durfee told the Board that she sent out the Annual Operations and Maintenance report forms to all of the solar companies that currently have active solar projects in Town. They will have until January 31<sup>st</sup> to return the form that the Planning Board had previously approved. Clerk Bailey asked the Town Planner if anyone got a hold of somebody from Snipatuit Solar about the panels that were on the ground. Town Planner Durfee said she believes they took care of that. Clerk Bailey said he will go by and see if the panels are there. Clerk Bailey asked who plows the roads and driveways. Chairman Johnson said that on the private roads, they require them to do their own plowing and sanding.

Town Planner Durfee said that Bill Clapp notified her that the final ANR decision had a typo and asked that the form be revised and resigned by the Planning Board.

The Town Treasurers office recently sent out the budget forms for review. The Board will have an opportunity at the next meeting to discuss the budget, since it was sent in after the agenda was posted. Also, she recently submitted a Light Capital Improvement Project to acquire funding to review the Subdivision Rules and Regulation and the Rochester Zoning Bylaws for a total of \$6,000. Field Engineering will assist with the review for a sum of \$4,000, and \$2,000 would be

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set aside for clerical formatting, typing and printing. Chairman Johnson asked the Board could get the current budget to see what the Planning Board has spent to date this year. Town Planner Durfee said she will get that for him.

Town Planner Durfee asked if the Planning Board could move their meetings back to the Town Hall. Member Silveira asked about having them at the Library. She said that she had originally checked into that, and it appears to be more complicated. We would have to ask the Rochester Memorial Library Trustees for permission. Chairman Johnson said that if it's easier for the Board to go to the Town Hall then he doesn't have a problem with that. He also said that the capacity of the room in the Town Hall isn't as big as the School. If they have a big hearing, then they will have to have it at the COA or the Library. Town Planner Durfee said she will research it more. Chairman Johnson said that before they say yes or no, he would like to know the capacity of the Town Hall Meeting room first from the Building Inspector.

Clerk Bailey said he got approached by a citizen of Rochester asking if the Planning Board could do anything about drones. He added that some Towns have Bylaws about drones over public property. FAA regulates drones, and if they are not a present danger in the air it is okay. He is wondering if the Board would like to make it a town Bylaw. Board Members said all agreed to reviewing other town Bylaws and drafting a by-law for the Town of Rochester.

**ADJOURNMENT**

Member DeMaggio made a motion to adjourn at 8:14.  
Clerk Bailey seconded the motion.  
Meeting adjourned.

Date: \_\_\_\_\_

1/24/2023

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Chairman, Arnold Johnson

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Lori Walsh, Recording Secretary