

**Rochester Planning Board  
Minutes  
April 25, 2023**

**Present:** Arnold Johnson, Chairman  
Member DeMaggio, Vice Chairman  
Member Bailey, Clerk  
Michael Murphy, Assistant Clerk  
Lee Carr  
Member Silveira

**Absent:** Marc Rousseau

Planner Durfee, Town Planner  
Danielle Craig, Recording Secretary

The meeting convened via Zoom Meeting ID83181486774. All members joined at the Rochester Town Hall. Chairman Johnson called the meeting to order at 7:02pm and stated the meeting was being recorded.

**INFORMAL DISCUSSION**

**Rochester Properties LLC, Cranberry Highway, Map 17 Lot 41.C7, Recreational Marijuana Establishment, Site Plan Review & Special Permit**

Phil Cordeiro was present at the meeting and presented a master site plan of the proposed facility, a 7500 sq. ft. commercial pad. They have ensured they are compliant with zoning and parking and can accommodate safe vehicular movement around the entirety of the building for loading and delivery purposes. He explained their drainage system will be located entirely under ground on the rear side of the property and their septic system will be located on the front side of the property. They will be asking for relief from the 200ft separation from existing septic systems from their abutters.

Chairman Johnson asked, since they moved the location of this facility closer to County Rd, if it's in compliance with the law of separation requirements from a daycare center. Phil Cordeiro stated they have verified they comply with being 500ft away from the daycare center. Phil Cordeiro stated in order to ensure curtesy to residential abutters, they made sure to leave room for screening, a fence, as well as natural vegetation in the area that the loading and deliveries will occur. They are still studying the best route for traffic and delivery trucks to safely flow, as well as proper signage. Member Bailey added that according to the scale on the map provided, it did not appear that they were outside of the 500ft distance requirement from the daycare. Phil Cordeiro said they will make sure to verify and update the scale on their map.

**Tree Talk Natives, 157 Vaughn Hill Road, Map 32 Lot 26, Jennifer Anderson, Site Plan Review**

Chuck Anderson (in person) and Jennifer Anderson (zoom/remote) were present for the meeting. Chuck gave a brief overview of their business. Jennifer stated they are currently leasing 2.5 acres of land at 157 Vaughn Hill Road. They have submitted a "drone photo" with indicators of how

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the property will be set up. The main reason for this meeting is to discuss their parking area. They have provided to the board a survey map, the drone photo, and the drawing of the parking area. Jennifer Anderson also gave a brief overview of what types of native trees and plants they will be offering to the public. Member Silveira stated he loved the idea of a nursey in town. Chairman Johnson agreed, stating that it is a great use of the property, however they will need to ensure safe parking. Chairman Johnson also stated that they will need to work on their site plan with proper radius and scaled measurements of the parking lot and gate, as well as, a newly formatted waiver list. Member Bailey stated that the plans that are submitted need to be legible with proper scaling. Jennifer Anderson asked if the drone photo was sufficient, and the board stated they need to have matching plans developed by an engineer or qualified professional. They will begin working on a new site plan and waiver list. Planner Durfee will meet with the owners to provide examples and information that will help them develop proper documents. Chuck Anderson stated that they look forward to doing business within the Town of Rochester.

**BOARD BUSINESS**

**Minutes:**

March 28, 2023 *Draft*

Member DeMaggio made a motion to approve the minutes from March 28, 2023.

Member Bailey seconded the motion

**The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

**Signature:**

**SRPEDD Commission Appointment for Planner Durfee**

Member Bailey made a motion to approve SRPEDD Commission Appointment for Planner Durfee.

Member DeMaggio seconded the motion

**The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

Chairman Johnson stated to the board that Gary Florindo has resigned from his position as the Rep to the Soil Board. He should be submitting his formal letter of resignation soon.

**Field Engineering Co, Inc., Service Agreement for Rockland Trust Co. Kiosk**

Board member Lee Carr recused himself from this discussion and vote.

Member Bailey made a motion to approve the Agreement.

Michael Murphy seconded the motion

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

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**Review:**

**Draft Decision: Large Scale Solar Photovoltaic System, Rochester Memorial School, 59 Hartley Road, Rochester MA**

Jose Pichardo and Steven Gregory (remote) were present for the meeting. Steven Gregory asked if staking out proposed tree plantings could be done after the super structure has been completed. Member Bailey stated that their requirement is that staking and screening be done before the structure is built. Chairman Johnson stated that every Solar Project in the Town of Rochester was required to complete screening before the start of construction. Member Silveira added that as long as they follow the plan as submitted they should have no problems. Steven Gregory inquired about Bio Hydraulic fluid in all construction equipment except for special equipment used to drive the pilings for the racking systems. Member Bailey stated that due to the drainage systems located on and around the property it is too much of a risk to not require this. Member DeMaggio stated that he wants the line item changed to saying that all machines on site will be required to run on Bio Hydraulic fluid. Chairman Johnson asked if project owners had located the water tanks connected to the wells for the school. Jose Pichardo stated he believes they are located outside of the project area boundaries. Chairman Johnson then stated that the project owner's will be required to submit a "Life Safety Plan" since it is certain that the project will still be ongoing when the new school year begins. Planner Durfee will edit the Draft Decision to be discussed at the next meeting.

**Vouchers:**

W.B. Mason / File Folders / Invoice S133690274 \$29.85

Member DeMaggio made a motion to approve voucher.

Member Bailey seconded the motion

**The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

Field Engineering / The Village at Plumb Corner / Invoice 15699 \$150.00

Member DeMaggio made a motion to approve voucher.

Member Bailey seconded the motion

**The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

Field Engineering / Kings Hwy / Invoice 15698 \$450.00

Member DeMaggio made a motion to approve voucher.

Member Bailey seconded the motion

**The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

Field Engineering / Solect Energy, RMS / Invoice 15700 \$600.00

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Member DeMaggio made a motion to approve voucher.

Member Bailey seconded the motion

**The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

Field Engineering / Connet Woods / Invoice 15697 \$3,947.50

Member DeMaggio made a motion to approve voucher.

Member Bailey seconded the motion

**The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

Field Engineering / Connet Woods / Invoice 15645 \$900.00

Member DeMaggio made a motion to approve voucher.

Michael Murphy seconded the motion

**The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

**NEW BUSINESS & PUBLIC COMMENTS**

**Connet Woods Phase I, IV, V and VII, Surety Estimate Review / Semi-Final Punch List and As-built Drainage Lot K**

Planner Durfee stated that this an opportunity for the Board to revisit the site and begin to do a punch list and potentially revise the bonds in order to make sure that it is up to date and enough to finish the project.

Member Bailey made a motion to approve the bond.

Member DeMaggio seconded the motion.

**The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

**The Village at Plumb Corner, Phase II Partial As-built Plan, Proctor Test and Summary of the Compaction Test for Katlyn Circle**

Chairman Johnson gave a brief overview stating that this road was paved last week. They will now be looking for release due to substantial completion. In order not to hold up the project Chairman Johnson stated they have done some due diligence including a semi final punch list and making sure there is enough in bonds for the remaining work that needs to be done.

**Snipatuit Brook Video, created by Member Bailey**

Member Bailey spoke about the video documentary he created on Snipatuit Brook. Planner Durfee stated it was beautifully done and she plans to use it in order to obtain funding for the Hydrological Study. The goal is to obtain data to see if Snipatuit Pond water supply is decreasing. This video can be viewed at <https://www.youtube.com/watch?v=s-dP7Btxw3U&t=73s>.

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**TOWN PLANNER UPDATES**

**MassWorks Grant – Cranberry Highway 40R Project**

Planner Durfee stated she has gotten updates on this project. It has been “complicated” for the owner and progress has been slow due to circumstances beyond control.

**MBTA Community Update**

Planner Durfee stated that Rochester has been identified as an MBTA community by the state. This requires the town to create a specific amount of use by-right “units”. She is working with the state to provide already approved by-laws for the Friendly 40R which is what they require. Mainly the 40R calls for 208 units and the state MBTA requires only 105 units, so the town is offering double the units required.

Bill Clapp- A1 Lot Project.

Bill Clapp was present for the meeting. He was there to discuss comments that were made by Chairman, Johnson, in regards to housing lots he was presenting to the board. The Planning Board did approve these lots. The alleged comments that were made caused him to make decisions on his property after the fact that negatively impacted him financially. He stated he wanted a public apology from the Chairman or he would pursue legal action. Chairman Johnson stated he apologized for any comments he made that upset Mr. Clapp. Mr. Clapp accepted his apology.

**ADJOURNMENT**

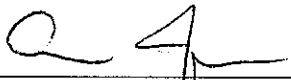
Member DeMaggio made a motion to adjourn the meeting at 8:56pm.

Michael Murphy seconded the motion.

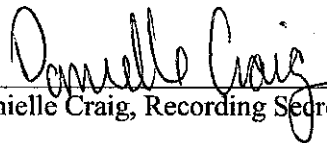
**The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

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

5/2/2023



Arnold Johnson, Chairman



Danielle Craig, Recording Secretary