

Rochester Planning Board

Minutes

June 13, 2023

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

Nancy Durfee, Town Planner
Dawn DeMaggio, Board Administrator
Danielle Craig, Recording Secretary (remote)

The meeting convened via Zoom Meeting ID86275680564. All members joined at the Rochester Town Hall. Chairman Arnold Johnson called the meeting to order at 7:02pm and stated the meeting was being recorded.

PUBLIC MEETINGS

Approval Not Required Application

The Blais Family Living Trust, for the property situated on Clapp Road and Mary's Pond Road, Map 11, Lots 6Q, 6R, & 6U.

Dave Davignon was present on behalf of the applicant. He was joining remotely and offered to do a "share screen" with the board members to show the current lot lines on a site map. The applicant currently has 3 "non-conforming lots" and wants to convert the three lots into two "conforming" lots so they can avoid obtaining variances and can sell and start to build immediately.

Member Bailey made a motion to approve the Approval Not Required Application.
Member DeMaggio seconded the motion.

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

PUBLIC HEARINGS

A Special Permit and Site Plan Review application for the development of a commercial building, filed by Kenneth Steen, Rochester Properties, LLC, for the property located at 621 County Road, identified as Map 17, Lot 47. The applicant's proposed project is for the development of a commercial building which includes a recreational marijuana establishment. The applicant representative is Phil Cordeiro of Allen & Major Associates, Inc. 10 Main Street, Lakeville, MA 02347.

Chairman Johnson started with reciting the prelude. Phil Cordeiro, Johnathon Silverstein, the property owner Ken Steen, as well as, representatives from Megan's Organic Market were present for the meeting. The representatives from Megan's Organic market were present via zoom and gave a presentation about their business with "share screening ". This presentation included a full overview of their business missions, esthetics, operations, community outreach, security, and day to day business. Chairman Johnson asked who verifies the sales, to ensure that the Town of Rochester does receive its 3% share. Mr. Silverstein stated that the IRS, as well as, the Cannabis Control Commission work together to track this highly regulated system. Phil Cordeiro then presented a revised set of site plans, he explained in detail each level of the construction project. He explained the building they're

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looking to approve is “not to exceed” a 7500 sq ft building. They are looking for waivers pertaining to the buffer zones on septic and water supplies due to the abutters. He explained they had done their due diligence with ensuring that the site’s lighting had no overflow onto the abutter’s properties. Chairman Johnson expressed concerns with the project’s current proposed entrance and exit. The current traffic study data that is being used is out dated. Chairman Johnson is requesting information pertaining to the volume of customers they are projected to receive and other factual data to give an overview that ensures they are not causing issues of traffic or other safety factors. He would like this submitted in writing.

Member Bailey made a motion to continue this hearing at the next Planning Board Meeting on June 27th, 2023. Member DeMaggio seconded the motion.

The motion was passed by a vote of 7 in favor, 0 opposed, 0 abstained. (7-0-0)

A Site Plan Review application to construct a building space, filed by Mark and Ashley Briggs, for the property located at 0 New Bedford Road, shown on Assessors Map 4, Lot(s) 28, 28B, and 28C. The applicant proposes the construction of a building to be used for the restoration, detailing and storage of collectible cars. The applicant’s representative is GAF Engineering, Inc., 266 Main Street, Wareham, MA 02571.

Chairman Johnson began reciting the prelude. Due to the fact that the abutter notices did not go out in time, the hearing will need to be continued.

Member Bailey made a motion to continue this hearing at the next Planning Board Meeting on June 27th, 2023. Member Murphy seconded the motion.

The motion was passed by a vote of 7 in favor, 0 opposed, 0 abstained. (7-0-0)

A Site Plan Review application to relocate a native tree and perennial nursery, filed by Jennifer and Chuck Anderson, Tree Talk Natives, LLC, for property being leased at 157 Vaughan Hill Road, identified as Map 32, Lot 26. The applicant proposes to relocate a native tree and perennial nursery from Clarksburg, MD to Rochester where they are leasing a 2.5-acre field to sell native species.

Chairman Johnson began reciting the prelude. Jennifer and Chuck Anderson were present for the meeting. They submitted an updated “site plan” of their leased property. This plan did not have the specifications needed by the Board to consider an approval. The Board members explained to the applicants that they need to present a scaled “Engineered Site Plan” that includes specifications on the proposed parking lot. This should include “cross sections”, the mix of asphalt used, defined parking spots, soil conditions etc. The Board also needs the entrance and exit marked on signs to direct traffic. Nancy Durfee will provide examples to the applicants of what the Board is requesting. Larry Ferreira, the Rochester plumbing Inspector, was also present for this meeting. He expressed concerns with the compostable toilet the applicants are proposing to have on this property. It was unclear at this time if this falls under the jurisdiction of the Planning Board or the Board of Health. Due to the fact, the legal need for a bathroom facility only applies if they have employees, the applicants wish to table the composting facilities until next year or when they are ready to hire employees. Chairman Johnson wants to get an opinion from the Board of Health and Town Counsel on this matter.

Member Bailey made a motion to continue this hearing at the next Planning Board Meeting on June 27th, 2023. Member Murphy seconded the motion.

The motion was passed by a vote of 7 in favor, 0 opposed, 0 abstained. (7-0-0)

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BOARD BUSINESS

Minutes: April 11, 2023 *Draft*, May 9, 2023 *Draft*, May 18, 2023 *Draft*

Member Bailey made a motion to approve the minutes.

Member Murphy seconded the motion.

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

Signature: **Field Engineering Contract Agreement** for a proposed vehicle hobby barn located at 0 New Bedford Road, shown on Assessors Map 4, Lot(s) 28, 28B, 28C
Field Engineering Contract Agreement for a proposed recreational marijuana establishment located at 621 County Road, shown on Assessors Map 17, Lot 47

Member Bailey made a motion to approve the contracts.

Member Murphy seconded the motion.

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

Vouchers: Field Engineering / Connet Woods / Invoice 15758 / \$300.00
Field Engineering / Edgewood, Kings Hwy / Invoice 15759 / \$900.00
Field Engineering / Village at Plumb / Invoice 15760 / \$1800.00
Field Engineering / Solect Energy / Invoice 15761 / \$300.00
Field Engineering / Cran Hwy (Dispensary) / Invoice 15762 / \$300.00
Horsley Witten Group / Hazard Mitigation Plan / Invoice 54413 / \$2002.95
Horsley Witten Group / Hazard Mitigation Plan / Invoice 54639 / \$2534.70
Fileguard / Monthly Storage / Invoice 81742 / \$9.75
SRPEDD / Master Plan / Invoice 2866 / \$6658.84
SRPEDD / Master Plan / Invoice 2867 / \$534.45

Member Bailey made a motion to approve the vouchers.

Member 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 – Groundwater Construction Plan/Combine Bonds (update)

Connet Woods – Lots 88a and 89a, Box Turtle Drive, Noise Mitigation

Planner Durfee stated they have completed the de-watering and have started the new houses. They were reminded to operate during the designated hours to not disrupt abutters. She also stated that they will have a bond that combines all of the Connet Woods bonds into one.

Notice of Intent to Convert Chapter 61A Agricultural and Horticultural Land with the intention of the Owner, Fruit d'Or Real Estate USA Corp., to convert approximately 7.1-acres of Property to Commercial Use, 109 Neck Road

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Member Bailey requested the language in this be changed, due to the fact they are not converting this property "to Commercial Use", only that they are removing it from 61A.

Member Bailey made a motion to approve letter to Select Board to not purchase this property.

Member Murphy seconded the motion.

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

Rockland Trust Kiosk

Chairman Johnson stated the Rockland Trust Kiosk is up and running efficiently. Steve Carroll representing Rockland Trust was present for the meeting. He stated there is an existing ATM inside the building at Plumb Corner that needs to be moved. Their plan is to move it early morning on Thursday, June 15th, 2023 before other businesses open. Chairman Johnson stated the Board would sign and send a letter with Substantial Completion at the next Planning Board meeting.

OLD BUSINESS

Member Bailey had obtained copies of the Town Counsel monthly bill/statement. It was recommended by the Town Administrator that the Board no longer request these statements due to it containing "sensitive information", but it is the pleasure of the Board Members to continue to request these documents each month with "sensitive information" redacted from it.

ADJOURNMENT

Vice Chairman DeMaggio made a motion to adjourn the meeting at 9:24pm.

Member Murphy seconded the motion.

The motion was passed by a vote of 7 in favor, 0 opposed, 0 abstained. (7-0-0)

Date: 6/27/23


Chairman, Chairman Johnson


Danielle Craig, Recording Secretary