

**Rochester Planning Board
Minutes
August 8, 2023**

Present: Arnold Johnson, Chairman
Bendrix Bailey, Clerk
Michael Murphy, Assistant Clerk
Lee Carr
Chris Silveira

Absent: Marc Rousseau
John DeMaggio, Vice Chairman

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

The meeting convened via Zoom Meeting ID84340551896. All members joined at the Rochester Town Hall. Chairman Arnold Johnson called the meeting to order at 7:09pm and stated the meeting was being recorded.

PUBLIC MEETINGS

A Certificate of Completion Request submitted by Old Middleboro Road Solar, LLC, for the property located at 0 Walnut Plain Road, Old Middleboro Road, Rochester, MA 02770, identified as Map 21; 22; 23, Lot(s) 01, 03; 06. 6D, 7, 21, 23, 31. The applicant is requesting a Certificate of Completion for the project completed in compliance with the conditions set forth by the Rochester Planning Board with all disturbed areas appearing to be vegetated and stabilized.

Chairman Johnson stated Field Engineering, Inc, visited the site and said all things looked in order. They did make some suggestions that will be added to the Order of Conditions. The board members stated they did not have to perform a site visit due to Planner Durfee visiting the site previously with no concerns.

Member Silveira made a motion to grant a Certificate of Completion with an Order of Conditions.
Member Bailey seconded the motion.

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

A Requested for an Extension of Special Permits, filed by Snipatuit Road Solar, 529 Snipatuit Road, Map 47, Lot 9A, 0 Featherbed Lane, Map 46, Lot 26, 0 Snipatuit Road, Map 47, Lot 4, 0 Snipatuit Road, Map 46, Lot 27, 0 Snipatuit Road, Map 47, Lot 1. The applicant is requesting an extension on an application for Special Permits for Large-Scale Photovoltaic Installation and a Groundwater Protection District Special Permit. The applicant's representative is Beals and Thomas, Inc., 144 Turnpike Road, Southborough, MA 01772.

Member Bailey made a motion to approve an extension.
Member Murphy seconded the motion.

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

PUBLIC HEARINGS

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Continued from June 13, 2023) 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's representative is Phil Cordeiro of Allen & Major Associates, Inc. 10 Main Street, Lakeville, MA 02347.

Chairman Johnson requested confirmation that the certified mailing receipts were received; Planner Durfee confirmed they had them. Phil Cordeiro was present for the meeting. He gave a brief full overview of the project. He described the site plans including the design of the project, the buffering on each side facing the abutters, parking, loading zone, drainage, septic, water service, etc. He stated the fire department recommended the side walk placement change for safer passage of pedestrians along County Rd. and County Rd. Extension.

Member Carr asked if the facility had any signage indicating sales of marijuana. A representative from Megan's Organic Market stated they do not normally display that on their exterior signage but would be happy to accommodate if that is what the board requests. There are already plans to indicate a marijuana dispensary within the first "waiting room" of the facility. The board members agreed they would like Megan's Organic Market to indicate the facility is a marijuana dispensary on a sign outside of the building so patrons do not accidentally enter the facility unknowingly.

Louis Hebert (abutter) of 617 County Road, was present for the meeting. She asked what the hours of operations were for the facility and how late the lights in the parking lot would be lit. The representatives present in the meeting answering her questions and assured her that the lights will be off at night after the close business and not turned on until the morning. Ms. Hebert also had concerns with loud music in the parking lot. Chairman Johnson stated they could readdress these issues if they deem to be a problem in the future.

Chairman Johnson asked if they were able to see the facilities Security Plan. The applicant's attorney stated they have one but due to sensitive information he has to check if they are able to submit them to the board due to public information. Chairman Johnson said they could submit them directly to the Town Planner or he can ask the town Police and Fire Department questions directly. They will need approval in writing for both Chiefs of the Police and Fire Department before the Planning Board's final approval.

Chairman Johnson read out loud the waiver requests.

Member Bailey made a motion to grant the waivers as written.

Member Carr seconded the motion.

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

Chairman Johnson stated he wanted to go over "disposal" of excess marijuana material. The applicant's attorney stated that part of their security plan has a proper plan to dispose of these products. The representative from Megan's Organic Market explained this process in detail. This is a regulated process under the Cannabis Commission Control. Chairman Johnson stated until they receive all of the required reports and documents he wants to leave this hearing open and continue it at the next meeting.

Member Bailey made a motion to continue this hearing at the next meeting.

Member 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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(Continued from July 11, 2023) 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.

The applicant has requested a continuance until September 12th.

Member Bailey made a motion to continue the hearing at the next meeting.

Member Carr seconded the motion.

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

BOARD BUSINESS

Minutes: July 11, 2023 *Draft*

Member Bailey made a motion to approve the minutes.

Member Murphy seconded the motion.

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

Vouchers: Fileguard, Monthly Storage, Invoice # 81831, \$9.75
Field Engineering, The Village at Plumb Corner, Invoice #15886, \$300.00
Field Engineering, Cranberry Hwy/MOM, Invoice #15887, \$2,250.00
Horsley Witten Group, Hazard Mitigation Plan, Invoice #55103, \$262.50

Member Murphy made a motion to approve the vouchers.

Member Bailey seconded the motion.

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

Member Bailey made a motion to approve the Chairman to sign vouchers during the month due to no second meeting.

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

Planner Durfee stated the Board needed to address the Dual Decommissioning bond request from Fruit D'or. The Board members discussed the pros and cons of the Dual bond and concluded that they do not wish to grant it.

Planner Durfee stated they will be cutting the grass on a part of Snipatuit Road to grant easier access for emergency vehicles if necessary.

Planner Durfee stated The Village is installing four irrigation wells for grass watering and has pulled permits.

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Planner Durfee reminded the Board of the Interdepartmental meeting on August 23rd at 6:00pm at the Council on Aging.

Planner Durfee stated there will be Master Plan workshop on October 2nd at the Council on Aging.

Planner Durfee stated that the servers at the annex building went down in July, and therefore lost the marijuana decision, as well as other items, and had to rewrite.

Planner Durfee stated the Memorial School pulled a building permit for the Solar project. Work should be starting in the Fall.

Planner Durfee stated and present a business log that she created of businesses within the community to help with the zoning bylaw discussions and changes they plan to make.

OLD BUSINESS

Renewable Energy Development Partners, LLC – Submittal of proposed paint for canopy trusses and piles

The Planning Board was given paint samples to approve. Member Silveira expressed concerns with painting over galvanized steel could be problematic if not done correctly. The Board requested that Field Engineering, Inc. visit the site and create a plan to make sure it is done correctly before they start painting. The Board approved the color of the paint samples that were submitted.

ADJOURNMENT

Member Bailey made a motion to adjourn the meeting at 8:40pm.

Member Murphy seconded the motion.

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

Date: 9/12/2023
Arnold Johnson

Arnold Johnson, Chairman

Danielle Craig
Danielle Craig, Recording Secretary