

**Rochester Planning Board  
Minutes  
September 26th, 2023**

**Present:** Arnold Johnson, Chairman  
John DeMaggio, Vice Chairman  
Bendrix Bailey, Clerk  
Lee Carr  
Chris Silveira  
Marc Rousseau (remote)

**Absent:** Michael Murphy, Assistant Clerk

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

The meeting convened via Zoom Meeting ID 87484959120. All members joined at the Rochester Town Hall. Chairman Arnold Johnson called the meeting to order at 7:00pm and stated the meeting was being recorded.

**INFORMAL DISCUSSION**

JPF Development, located off Cranberry Highway (Route 28) & Kings Highway, Map 17, Lots 29, 29A, 30, 31A, 55 and 56, proposed commercial storage facility, Site Plan Review.

Bill Madden, representing on behalf of JPF Development, was present for the meeting. He stated he wanted to "introduce" the project to the Board. He stated a waiver list was given to the Planning Board. He stated that an application was filed to the Zoning Board of Appeals for a Special Permit in April of 2023 to allow for the commercial use of a mini storage facility in the Industrial Zoning District. The Zoning Board of Appeals application was approved. The proposed project affords 15 acres of development. The parcel is comprised of multiple lots. Their future plan is to remove the lot lines and make 1 singular lot. The site plans provided are presented with the lot lines that currently exist today. There is a wetland boundary located around the site. He presented site plans that outline the details of the project and briefly explained each plan. He stated the project consists of 244 individual storage units. The site is bordered by fencing for security purposes. There will be an additional small building for an office space, that will include a Title V system and water system. They plan to have a meeting with the Rochester Water Commission to discuss logistics for the water system.

Chairman Johnson stated that he noticed a lot of work being done within the 100 ft wetland buffer zone and water basins potentially being installed right on the 25ft "do not disturb" wetland buffer zone. He asked Mr. Madden if the project could be "shifted" to avoid disturbing the buffer zones. Bill Madden stated that there is an electrical easement located on the back of the property that would prevent them from moving the project from its current proposed location. Chairman Johnson stated that, based on the site plans, it appears there is about 80-100ft before the electric easement that could allow them to shift the project away from the buffer zones. Mr. Madden stated that grading may flow over into the easement if the project is shifted. Chairman Johnson requested that Bill Madden present the project to the Rochester Conservation Commission for their review and approval before the Planning Board makes their decision. Chairman Johnson also stated that during the Tech Review meeting, he recalls that the fire department requested two fire hydrants on the property. The site plans presented do not include any hydrants which could cause a risk since this property is located over 400ft away from Cranberry Highway. Mr. Madden stated they will re-evaluate the plans if the Fire Department is adamant about installing hydrants.

**PUBLIC MEETINGS**

**Approval Not Required Application**

Leith Patnaude, for the property located at 572 Snipatuit Road, Map 43 Lot 8

A representative from JC Engineering was present for the meeting. He stated the project is a 22.6-acre parcel and their plan is to subdivide through the Back Lot Subdivision Special Permit process to create two lots. Lot A would have existing structures and would measure at 10.7 acres, and Lot B, a vacant parcel, would measure at 11.56 acres.

Bailey made a motion to approve the Approval Not Required Application for 572 Snipatuit Road.  
Member Carr 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 Approval Not Required application for a residential back lot, filed by Leith Patnaude, for the property located at 572 Snipatuit Road, identified as Map 43, Lot 8.** The applicant's proposed project involves the creation of one new residential back lot. The new lot would support a single-family residential structure with associated site work and utilities. The applicant's representative is Brian Wallace of JC Engineering, Inc, 2854 Cranberry Highway, E. Wareham, MA 02538.

A representative from JC engineering was present for the meeting. He explained the specifics for the project. He presented a site map indicating the lot lines and frontages. An abutter, Cecelia Hall of 598 Snipatuit Road, was present for the hearing. She asked if the current existing drive way from the current residence would be used for the new back lot. Chairman Johnson stated that according to the plans presented, there will be a new access way put in leading to the new back lot residence. A real estate agent who recently sold this property was also present for this meeting and explained to the Planning Board that the previous owners of the property are the co-applicants for this project. The property was sold to new owners and the proposed back lot will be sold back to the previous owners, in the hopes of them building a new residence. The Planning Board members requested more information and documents that explain this transaction to fully ensure they have sufficient information to make a vote. The Real Estate agent said she can gather the legal documents to satisfy the Board. The hearing will be continued to the next Planning Board meeting.

Member Bailey made a motion to continue the hearing on October 10<sup>th</sup>, 2023.

Member DeMaggio seconded the motion.

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

### **BOARD BUSINESS**

**Minutes:** September 12, 2023, Draft Minutes

Member Bailey made a motion to approve the minutes.

Member Carr seconded the motion.

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

**Review:** Rochester Properties LLC, Marijuana Establishment Draft Decision

Chairman Johnson stated there was a Tech Plan Review and Special Permit Decision meeting regarding the proposed Marijuana Dispensary, Megan's Organic Market. He explained that one main focus during the meeting was the signage for the dispensary. Due to their appearance of looking like an "Organic Grocery Store", they want to make it clear to patrons that it is in fact a Marijuana Dispensary. Megan's Organic Market did provide mock ups of the signs they plan to display for review. The Planning Board members approved of the proposed signage. The signage request was added to the Decision as special condition number 15. Chairman Johnson also discussed the hours of operation.

Member Bailey made a motion to approve the Special Permit Decision for Rochester Properties LLC.

Member Carr seconded the motion.

**The motion was passed by a vote of in 5 favor, 1 opposed, 0 abstained. (5-1-0)**

Member Bailey made a motion to approve the Site Plan Review for Rochester Properties, LLC.

Member Carr seconded the motion.

**The motion was passed by a vote of in 5 favor, 1 opposed, 0 abstained. (5-1-0)**

**Vouchers:** Field Engineering, Old Middleboro Road, Invoice 15988, \$1,462.50

Field Engineering, Neck Road, Invoice 15989, \$450.00

Field Engineering, Cranberry Hwy, Invoice 15990, \$2,100.00

Member Bailey made a motion to approve the vouchers.

Vice Chairman DeMaggio seconded the motion.

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

### **TOWN PLANNER UPDATES**

Planner Durfee reminded the Board of the Master Plan workshop on October 2<sup>nd</sup>, 2023, and of the zoom workshop for those unable to attend on October 3<sup>rd</sup> at 6:00pm.

### **GENERAL DISCUSSION**

Chairman Johnson provided an update on the Public Safety building project. He stated the feasibility study has been completed. He stated the numbers did come back at a high amount so they are looking into different building systems that may be more cost effective. There is a meeting with the Select Board on Monday October 2<sup>nd</sup>, 2023 to dissolve the feasibility study committee and create the building committee to determine the next course of action.

Chairman Johnson also discussed the current process of site visits. He stated that the advice from the new Town Counsel was to not publicly post site visits going forward. Their opinion is that it would constitute as a "Public Meeting" which would then allow the public to attend. Chairman Johnson stated he did not agree with that opinion and agrees with the current process that has continuously worked for decades. Member Bailey proposed the Planning Board create a document, which is similar in process to that of the Rochester Conservation Commission, explaining to the applicant the exact process of the site visit and that if some or all board members are not allowed to perform a site visit, they will not be equipped with sufficient information in order to make a vote for approval. The board members discussed different possibilities on what the process could be to prevent any issues if in fact the public does attend a posted site visit.

### **ADJOURNMENT**

Next meeting October 10<sup>th</sup>, 2023.

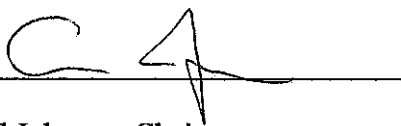
Vice Chairman DeMaggio made a motion to adjourn the meeting at 8:40pm.

Member Bailey seconded the motion.

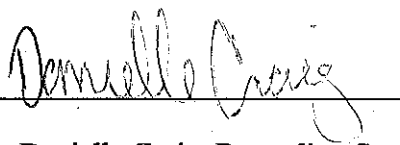
**The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

Date

9/26/23

A stylized handwritten signature consisting of a large 'C' followed by a sharp, angular stroke.

Arnold Johnson, Chairman

A handwritten signature in cursive script that reads 'Danielle Craig'.

Danielle Craig, Recording Secretary