

**Rochester Planning Board
Minutes
February 14, 2023**

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

Absent: John DeMaggio

Nancy Durfee, Town Planner
Dawn DeMaggio, Board Administrator

The meeting convened via Zoom Meeting ID 851 8344 0280. Chairman Johnson called the meeting to order at 7:04 p.m. in the Town Hall Meeting Room and made everyone aware that this meeting was being televised and 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 Mattapoissett River Valley Watershed, filed by Solect 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.

Chairman Johnson stated that a letter was submitted at the last meeting by Solect Energy Development requesting a continuation until February 28, 2023.

BOARD BUSINESS

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A motion to approve the minutes from January 10, 2023 and January 24, 2023 was made by Clerk Bailey and seconded by Member Murphy. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

Draft Decision/7 Marion Road

(Member Carr recused himself from the Public Hearing)

Chairman Johnson stated they have a draft decision to sign for the motion to grant approval for a Special Permit for a pool installation from the January 24, 2023 meeting.

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A motion to approve the draft decision for a Special Permit in both a Scenic Highway and Groundwater Protection District was made by Clerk Bailey and seconded by Member Murphy. **The motion was passed by a vote of 5 in favor, 0 opposed, 0 abstained. (5-0-0)**

(Member Carr resumed his role in the meeting)

Vouchers

A motion to approve a voucher for Staples/Keyboard and Mouse, in the amount of \$44.70 was made by Clerk Bailey and seconded by Member Murphy. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

A motion to approve a voucher for Staples/Printing and Binding Rules and Regs Invoice #6935465233 in the amount of \$170.87 was made by Member Murphy and seconded by Member Carr. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

A motion to approve a voucher for Fileguard/Monthly Storage Invoice #81459 in the amount of \$9.00 was made by Member Murphy and seconded by Member Carr. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

NEW BUSINESS

Release of Subdivision Covenant/Hartley Road

Chairman Johnson explained that this project was approved some time ago for Robert Lawrence/Gilmore Cranberry Co at 253 Hartley Road and they are just looking to release the covenant.

A motion to approve a release on the covenant surveyed for Robert Lawrence/Gilmore Cranberry Co. was made by Clerk Bailey and seconded by Member Murphy. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

Phase III Performance Bond/The Village at Plumb Corner

Town Planner Nancy Durfee mentioned this is just for the Boards information; a memorandum has been drafted but has not been mailed. Chairman Johnson reminded the Board that this was approved at the last meeting.

Revised Chapter 61A Removal – 0 High Street

Town Planner Durfee explained that there was a small wording change from the original document the board had received but it does not affect their decision.

Clerk Bailey made a motion to advise the Selectmen not to acquire the property and seconded by Member Murphy. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

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Rochester Zoning Bylaw Revisions

Chairman Johnson explained the Orderly Development was a way to control development in the town until the new school was built and is no longer necessary as now they refer it to the Selectmen and they hold the hearing and send it back to the Planning Board.

A motion for the Chairman to sign and send to the Selectmen was made by Clerk Bailey and seconded by Member Murphy. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

Chairman Johnson stated that they also have the removal of the Temporary Moratorium Bylaw that was discussed at the last meeting.

A motion for the Chairman to sign and send to the Selectmen was made by Clerk Bailey and seconded by Member Murphy. **The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

Town Planner Durfee explained to Chairman Johnson that she has a suggestion for a Zoning Change. In Chapter 22.10 Section 1.13.2 under Site Plan Review chapter in Section 2 there is a typo, Mass General Law 44 section 53C but should read 53G. Town Council was going to see if it could be easily changed without going to town meeting.

Chairman Johnson stated the Public Safety Feasibility Study group met today. Their game plan is that the Police Station is worth renovating and doing a second story addition off to the side with a corridor connecting to the existing Police Station. Discussion was had about tearing down the existing garage to build one up to code and to accommodate the bigger vehicles. The codes have changed since the station was built.

Chairman Johnson mentioned they discussed constructing a new main Fire Station and another sub station on High Street. The new project coming in on Rt. 28 will increase the need for emergency services. They have come up with a Master Plan and now they need to come up with the cost. The group is still working with the Fire Department to see what their needs are. They will not be ready to make the spring town meeting and will most likely call a special town meeting sometime in the summer. The Finance Committee will be getting involved and start making decisions.

Clerk Bailey inquired if the two-story decision was due to the land space available at the Police Station and expressed there are extra costs involved to add a second story. Clerk Bailey then asked if they town considered just selling the building and add special zoning to make it a commercial space. Chairman responded that he doesn't know the reason but the lot is on two-acres and the idea was to keep a smaller footprint on the design and he doesn't believe they considered selling since it would be cost prohibitive.

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Member Murphy asked if they checked with Mattapoisett to see their building. Chairman Johnson replied that the Fire Department has been over there but the building code has changed since then.

Clerk Baily inquired where the funding for the projects would be coming from. Chairman Johnson explained from the taxpayers.

Member Silveira inquired if the twenty-year old Police Station was paid off. Chairman Johnson stated that the building is just about paid off and will relieve the town of that debt.

TOWN PLANNER UPDATE

Town Planner Durfee mentioned that Connet Woods has a bond from November 2020, that will expire March 22nd and we recently received letter from the developer stating it will not be renewed. They do have other bonds that are active, but this one covers up to Douglas Corner. Steve Meltzer is waiting on the punch list for the final work to be done including stormwater drains and topcoat, they are constructing the last three houses in the development and would like to button up the project. Meltzer is willing to work with the community and there are other bonds he could shift around. Planner Durfee stated the other bonds will also be coming up on expiration as the project is coming to an end.

Town Planner Durfee reported that Old Middleboro Road Solar project received a final completion report from Field Engineering and the panels are producing power.

Planner Durfee stated that she had to file a small application with MBTA at the end of January to stay in compliance with the requirements that need to be met for the MBTA Communities requirements. Planner Durfee asked MBTA if Rochester was exempt due to the fact that we have a major project coming up on Rt 28 under 40R and they have not answered yet as to whether that project would comply or not.

Chairman Johnson explained that there was a tech review regarding the project on Rt 28 this week. They did a great job with the master plan on the front of the project and were asked to come back with a master plan on the back of the property. The plan is showing the marijuana shop in the back, apartment building, 60 units of senior housing, a liquor store, and a fast food restaurant on the pad behind Seasons. Jeff Eldridge was present to discuss a rebuild he wanted to see on the County Road extension and they agreed to that and he was pleased with the outcome. The marijuana shop will be moving forward soon and the 40R should be breaking ground this spring.


ADJOURNMENT

Member Murphy made a motion to adjourn at 8:02 pm.

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Member Carr seconded the motion.
Meeting adjourned.

Date: 3/28/2023


Chairman, Arnold Johnson


Dawn DeMaggio, Recording Secretary