

**Rochester Planning Board  
Minutes of July 27, 2021**

Present: Arnold Johnson, Chairman  
John DeMaggio, Vice Chairman  
Bendrix Bailey, Clerk  
Michael Murphy, Associate Clerk  
Lee Carr  
John DeMaggio  
Marc Rousseau

Absent: Chris Silveira

Steven Starrett, Town Planner  
Victoria D'Antoni, Board Administrator  
Lori Walsh, Recording Secretary

The meeting convened via Zoom Meeting ID 892 8699 7631. Members joined in-person at Old Colony Regional Vocational Technical High School. Ben Bailey and Marc Rousseau joined via zoom. Mr. Johnson called the meeting to order at 7:10 p.m. and stated the meeting was being recorded.

**INFORMAL DISCUSSION**

Kristina Bacchiocchi, A Happy Healthy Start Day Care, 428 Walnut Plain Road, Map 14, Lot 2A.

Kristina Bacchiocchi stated that she wants to open up her Daycare on a Community Level and offer classes since she was shut down during part of COVID, and is still operating the daycare at a limited capacity. Mr. Johnson asked her if the existing parking lot was reclaimed asphalt now and Kristina replied yes. Mr. Johnson stated the only problem he sees is parking. Kristina asked if she could use her home driveway for parking. Mr. Johnson said that she cannot because there is a regulation prohibiting that. However, she could possibly have an additional parking lot on the other side. Kristina asked if that could be crushed stone. Mr. Johnson said yes it could.

Mr. DeMaggio stated she can start having classes until she figures out what she is going to do with the parking. Mr. Johnson said to have the Engineer come up with a crushed stone surface on the other side. Mr. Johnson also said that they would have to speak to the Highway Surveyor because she may need a paved apron coming out on the other side. Mr. Johnson stated she needs to come to the Board for a Tech review and afterwards, she can file a formal application with the Planning Board. Mr. Johnson said that in the meantime she could hold classes until the parking is straightened out.

**PUBLIC MEETINGS**

**Approval of a Preliminary Subdivision**

Decas Cranberry Co., LLC, for property located at 0 Mary's Pond Road, Map 12, Lot 7.

Walter Hartley, the applicant's representative, was present. Mr. Hartley showed the plan to the Board and said that it is a two-lot subdivision. Mr. Carr asked if the lot is buildable. Mr. Hartley said yes. Mr. Johnson stated that he doesn't see a problem with the way the plan is done. No comments from the Board members. Chairman Johnson asked if there are any wetlands. Mr. Hartley said that there is a cranberry bog and a small pond.

A motion was made by John DeMaggio, seconded by Michael Murphy, to approve the preliminary subdivision plans. The motion carries unanimously.

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**PUBLIC HEARINGS**

**A Large-Scale Photovoltaic Installation Special Permit Application and Special Permit Application for Groundwater Protection, filed by Cushman Road Solar, LLC, for property located at 0 Cushman Road, designated as Lot 11 on Rochester Assessors Map 33.**

Eric Las, from Beals and Thomas, was present. Mr. Las shared his screen to show updated plans dated July 8, 2021. Mr. Las stated that they shifted the right of way away from the stone wall and with the changes it makes the access road more realistic. They are still waiting for the final peer review from Field Engineering. Mr. Bailey said that Mr. Las has made a real effort to make the abutters happy.

Julie Koczera and Mike Koczera, of 2 Robinson Road, and their engineer, Dave Davignon, were present. Mrs. Koczera asked how long will the construction of the access road take. Mr. Las said that they are estimating three to four days and a week of prepping to get the trees and stumps out. Mrs. Koczera expressed concerns about heavy machinery destroying her septic pipe. Mr. Las said that they have noted on the plans that the contractor is responsible for any repairs or provisions that do occur. Mr. Las stated that it is a relatively narrow pipe and they can pour concrete around that pipe, before other work is done. Mr. Koczera said that it makes sense what they are proposing. Mrs. Koczera asked if the Planning Board was responsible for that provision because it's part of the access road. Joe Harrison, the applicant, said that he would be happy to put that into the letter of intent. Mr. Johnson said that the access road is under the control of the Planning Board and construction of it to be inspected by the Planning Board although the provisions between you and the contractor about the pipe and if it gets damaged are between the engineer and you.

Mr. Davignon stated that he submitted a letter on July 22<sup>nd</sup> about fine-tuning the narrative to be more descriptive about the pipe and to clearly spell it out for the contractor. Mr. Davignon also said that in the inset, there's a 10-scale detail on sheet C4.2, which shows that activity to occur. He said that they would like it spelled out to show that the easement is no more the temporary easement to go beyond the 20 ft. limits to upgrade its septic pipe not more than 3 ft. to the right, left and ends of the pipes and should be stated on the plan. Mr. Davignon said that on C3.3 there should be a temporary lay down area. The site where a solar farm will exist, they have the lay down area where they will be grinding trees and cutting trees and stockpiling and the noise will come from that location. Mr. Davignon asked if there is any reason why that area can't be shifted to the southeast instead of the northeast corner of that part of the site because there will be a lot of noise near the Koczera property. Mr. Davignon asked if hours of operation could occur only Monday through Friday and not on the weekend and lastly, would the planning Board require a contract with a snow plow contractor? Mr. Johnson said that they don't allow heavy machinery to operate on Saturdays and Sundays and that their standing conditions for hours of operation are Monday through Friday, 7:30 to 5:00p.m. Mr. Johnson stated that they've never required a snow removal contract. Town Planner Starrett asked Mr. Davignon if he copied the applicant when he sent the letter. Mr. Davignon said that he copied Joe Harrison when he sent the letter to the clerk.

Lisa Mann, 8 Robinson Road, would like to review the third party comments before making any final decisions. Ms. Mann would like more information as time goes by on the snow removal also.

A motion was made by Lee Carr, seconded by John DeMaggio, to continue the public hearing to August 10, 2021. The motion carries unanimously.

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**A Large-Scale Photovoltaic Installation Special Permit Application and Special Permit Application for Groundwater Protection, filed by Snipatuit Road Solar, LLC, Beals and Thomas, Inc., 144 Turnpike Road, Southborough, MA 01772 for property located at 0 Snipatuit Road, designated at Map 46 and 47, Lots 1, 4, 9, 9A, 26, and 27.**

Eric Las, from Beals and Thomas, was present. Mr. Johnson stated the hearing was left open to approve one more waiver. No Comments from the Board.

A motion was made by Lee Carr, seconded by John DeMaggio, to approve the waiver request for Section 4.2.2 of the Rules and Regulations. The motion carries unanimously.

A motion was made by Lee Carr, seconded by Michael Murphy, to close the public hearing. The motion carries unanimously.

**BOARD BUSINESS**

**Minutes**

A motion was made by Bendrix Bailey, seconded by Lee Carr, to approve the July 13, 2021 meeting minutes as submitted. The motion carries unanimously.

**Vouchers**

A motion was made by Bendrix Bailey, seconded by John DeMaggio, to approve the Field Engineering voucher for the Snipatuit Road Solar project as submitted. The motion carries unanimously.

A motion was made by Michael Murphy, seconded by John DeMaggio, to approve the Field Engineering voucher for The Village project as submitted. The motion carries unanimously.

A motion was made by Bendrix Bailey, seconded by John DeMaggio, to approve the Field Engineering voucher for the Longbow Lane project as submitted. The motion carries unanimously.

**Review**

Draft Decision – Site Plan Review Robert Ferreira, 92 Pine Street

A motion was made by John DeMaggio, seconded by Lee Carr, to approve the draft decision. The motion carried unanimously.

**TOWN PLANNER UPDATES**

Mr. Starrett updated the Board on several projects. Old Middleboro Road is planning on starting the fence next week. The Village has three and a half units framed and another foundation in. A representative from Buzzards Bay will be coming to the August 10, 2021 meeting.

**ADJOURNMENT**

A motion was made by John DeMaggio, seconded by Michael Murphy, to adjourn at 8:25 p.m. The motion carries unanimously.

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Lori Walsh, Recording Secretary

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Arnold Johnson, Chairman