

**Rochester Planning Board  
Minutes of February 9, 2021**

Present: Arnold Johnson, Chairman  
Bendrix Bailey, Clerk  
Michael Murphy, Associate Clerk  
Lee Carr  
John DeMaggio  
Chris Silveira

Absent: Gary Florindo, Vice Chairman

Steven Starrett, Town Planner  
Tanya Ventura, Board Administrator  
Marissa Perez-Dormitzer, Recording Secretary

The meeting convened in-person and via Zoom Meeting ID 859 9831 3025. Most Members joined in-person at the Town Hall Meeting Room. Member Silveira joined via Zoom. Chairman Johnson called the meeting to order at 7:10 p.m. and stated the meeting was being recorded.

**PUBLIC HEARINGS**

***(Continued from January 12, 2021) 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.*** The applicant proposes the construction of a  $\pm 4.8$  MW DC Ground-Mounted Solar Photovoltaic Array within the Residential/Agricultural District. The Property is also within the Mattapoisett River Valley Watershed and partially within the Groundwater Protection District and the Floodplain Overlay District. The property owners of record are Lisa Holden, Trustee, Rochester Realty Trust and Aquidneck Nominee Trust, ET AL, and Kevin J. and Cassandra A. Cassidy. The applicant's representative is Eric Las, Beals and Thomas, Inc., 144 Turnpike Road, Southborough, MA 01772.

Chairman Johnson stated the applicant requested a continuance to the next meeting on February 23, 2021 to allow time to respond to peer review comments.

A motion to continue to February 23, 2021 was made by Clerk Bailey and seconded by Member Carr. **The motion passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

***(Continued from January 12, 2021) A Large-Scale Photovoltaic Installation Special Permit Application and Special Permit Application for Groundwater Protection, filed by Cushman Road Solar, LLC, P.O. Box 1340, Portsmouth, NH 03801 for property located at 0 Cushman Road, designated as Lot 11 on Rochester Assessors Map 33.*** The applicant proposes the construction of a  $\pm 3.9$  MW DC Ground-Mounted Solar Photovoltaic Array within the Residential/Agricultural District. The property is also within the Mattapoisett River Valley Watershed, partially within the Groundwater Protection District, and the Floodplain Overlay District. The property owner of record is Lisa Holden, Trustee, P.O. Box 388, Rochester, MA 02770. The applicant's representative is Eric Las, Beals and Thomas, Inc., 144 Turnpike Road, Southborough, MA 01772.

Chairman Johnson stated the applicant requested a continuance to February 23, 2021 since they did not receive a peer review report.

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A motion to continue to February 23, 2021 was made by Clerk Bailey and seconded by Member Carr. **The motion passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

**INFORMAL DISCUSSION**

Robert Ferreira/ILC Development, LLC: 92 Pine Street, Map 37, Lot 47

Robert Ferreira reported he was making alterations to an existing commercial property. He mentioned he was instructed to apply through both the Zoning Board of Appeals (ZBA) and the Planning Board. Chairman Johnson stated they were working with Town counsel to figure out which Board Mr. Ferreira would file with first. Chairman Johnson recommended providing an updated plan with engineering work for the formal submittal and adding information about how much new asphalt was being put down. Mr. Ferreira responded that the parking area was not changing. Chairman Johnson explained the Board would review the ZBA decision and not vote on any items covered by the ZBA. For example the hours and days of operation were governed by the ZBA and did not need Planning Board review. Mr. Ferreira asked if he should attend an already scheduled hearing with the ZBA on February 11, 2021. Chairman Johnson suggested that the ZBA could continue the hearing as the two Boards work through the process. David Arancio, Chairman of the ZBA confirmed they would open the hearing and then make a motion to continue based on advice by Town counsel.

**BOARD BUSINESS**

***Minutes***

A motion to approve the minutes from the January 15, 2021 meeting was made by Clerk Bailey and seconded by Member Carr. **The motion passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

A motion to approve the minutes from the January 26, 2021 meeting was made by Clerk Bailey and seconded by Member Carr. **The motion passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

***Vouchers***

A motion to approve a voucher for W.B. Mason/Office Supplies in the amount of \$95.01 was made by Member DeMaggio and seconded by Clerk Bailey. **The motion passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

A motion to allow the Chairman to sign the bills on behalf of the Board was made by Clerk Bailey and seconded by Member Carr. **The motion passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

***Final Decision/323 Rounseville Road/Trinity Solar***

A motion to approve the decision for Trinity Solar was made by Clerk Bailey and seconded by Member Carr. **The motion passed by a roll call vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

***Review and Approve FY2022 Budget***

Town Planner Starrett reported he obtained a quote for scanning files and for manual storage. The estimated monthly cost for manual storage of 20 boxes and 5 retrievals per month was \$38.00. It would eliminate five or six file cabinets in the office. They would be storing inactive files where

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there were no longer bonds or issues being discussed. Town Planner Starrett stated he dropped the budget item for storage to \$300.00 per year. He asked if it would be possible to start the process during the current fiscal year using existing funds. Chairman Johnson said yes.

Clerk Bailey asked about using the current fiscal year funds to upgrade the Dropbox account. Board Administrator Ventura responded that she realized she had been using her own Dropbox and not Town Planner Starrett's account that had additional capacity.

A motion to approve the budget as presented by Town Planner Starrett was made by Clerk Bailey and seconded by Member Carr. **The motion passed by a roll call vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

**DISCUSSION**

**ZBA Filings**

Chairman Johnson reported there was an upcoming hearing with the ZBA to discuss an application from Walter Hartley on Pine Street. Mr. Hartley was looking to put a house on his property with only 16 feet of frontage. Mr. Hartley also would need a variance from the building rectangle requirement. Chairman Johnson stated that allowing the reduction in frontage could lead to other property owners wanting to do the same. Mr. Arancio shared his screen showing the plan. Chairman Johnson stated it could be considered a one lot subdivision if they could have 50 feet of frontage. He suggested the Board send a letter to the ZBA opposing the granting of the variance for the frontage. Clerk Bailey noted it might create difficulty for fire equipment. Town Planner Starrett asked Mr. Arancio if he had received a letter from the Board of Health. Mr. Arancio did not recall.

A motion to request that Town Planner Starrett draft a letter to the ZBA to oppose granting of the variance based on public safety was made by Associate Clerk Murphy and seconded by Member DeMaggio. **The motion passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

Mr. Arancio stated there was correspondence from the Board of Health in the ZBA's January 28, 2021 packet. The letter indicated the need to schedule a perc test to see if the lot was buildable.

**Updates from Chairman Johnson**

Chairman Johnson stated they would wait to schedule a site visit at the Cushman Road solar project until the snow had cleared. He reported that Town Planner Starrett would visit Connet Woods with Steve Meltzer. Chairman Johnson mentioned a meeting with the Town's regulatory boards would be scheduled to ensure there is no duplication of efforts. He noted that work was being done at the Village at Plumb Corner for Phase One. Chairman Johnson stated the appeal period for the 40R project was up in another week and noted they received the increased water allocation.

Chairman Johnson reported Town Planner Starrett would work on updating the Master Plan, last done in 2010, as well as the Housing Production Plan. He stated the Town would also be updating the Open Space Plan, led by Laurell Farinon, Conservation Agent. There might be grant funds available to provide personnel to assist Town Planner Starrett with work on the Housing Production Plan and Master Plan. The Board would be seeking residents to participate in the process. There was discussion about the various updates for the Master Plan including the 40R development, Connet Woods, the Green Communities designation, the Right to Farm law, the school addition, and the new fairgrounds.

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**TOWN PLANNER UPDATES**

Town Planner Starrett reported he met with the general manager for the Old Middleboro Road project. They reviewed the access road, the perimeter road, and the relocation of the ancient way. They were finishing up work for winter.

Town Planner Starrett reported he would have discussions with Connet Woods about the bond and what they planned to do with the other cul de sac. The asphalt plant was still waiting on the U.S. Environmental Protection Agency. Trailside was going ahead with work approved by the Board and had trouble with gas mains which were grown over.

**ADJOURNMENT**

A motion to adjourn at 8:01 p.m. was made by Member DeMaggio and seconded by Member Carr. **The motion passed by a vote of 6 in favor, 0 opposed, 0 abstained (6-0-0).**

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Marissa Perez-Dormitzer, Recording Secretary

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Arnold Johnson, Chairman