

**Rochester Zoning Board of Appeals
Business Meeting Minutes
Hybrid Meeting
July 22, 2021**

Board Members Present: David Arancio, Davis Sullivan, Richard Cutler, Thomas Flynn, Jeffrey Costa, Donald Spirlet

7:00 p.m. Called Meeting to Order

Minutes:

- A motion to approve the Business Meeting Minutes of June 24, 2021 was made by Mr. Sullivan and seconded by Mr. Spirlet; Mr. Cutler abstained. Motion passed 4-0.
- A motion to approve the Public Hearing #1165 Minutes of June 24, 2021 was made by Mr. Sullivan and seconded by Mr. Spirlet; Mr. Cutler abstained. Motion passed 4-0.

New Business:

- *Vote to re-organize the Board*
A motion for all members to remain in the same roles was made by Mr. Cutler and seconded by Mr. Costa. Motion passed 5-0.
- *Upcoming Meeting Attendance*
The Board discussed upcoming meeting attendance for August 12 and August 26, 2021. Mr. Sullivan stated that he may not be able to attend the meeting on August 12th.

A motion to adjourn at 7:04 p.m. was made by Mr. Spirlet and seconded by Mr. Cutler.

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7:04 p.m.

#1166

Mark and Ashley Briggs for property located at 0 New Bedford Road, identified on Assessor's Map 4, Lots 28, 28B, 28C, who are seeking a Special Permit for a building to be used for the restoration, detailing, and storage of collectible cars with limited private sales within the Limited Commercial District under Section 20.40, Section F.6 of the Rochester Zoning By-Laws.

Bill Madden of G.A.F. Engineering, Inc. was present on behalf of the applicant.

Abutters Present:

- Richard Cutler, on behalf of the First Congregational Church of Rochester, 7 Constitution Way. Mr. Cutler recused himself from the hearing as a member of the Zoning Board of Appeals.
- Timothy Donovan of 613 New Bedford Road
- Chris Silveira (present) & Stephanie Riccardi (Zoom) of 600 New Bedford Road
- David & Laurie Gibbs of 610 New Bedford Road
- Matt Monteiro of 590 New Bedford Road (Zoom)

Discussion:

Mr. Madden presented the proposed project to the Board. He stated that the applicants would like to use the building as a hobby shop for antique collectible vehicles with several overhead garage doors, a bathroom, small kitchenette, carpentry shop, and an HVAC climate control system. They may sell up to 2 vehicles per year online, and by appointment only for those sales.

The plan is to have a small septic system at the rear of the site. Automatic sprinklers will be installed due to the size of the building, as well as a hydrant on site. An oil / gas separator will be on site and a tight tank / holding tank with a floor drain system. Underground electric will be installed and a small dumpster pad. They foresee using 30% of land mass outside of the Conservation Commission limits, however, they may need a Determination of Non-Significance from them. The applicants would like to have a small sign with the street address and name on it.

Mr. Costa requested clarification regarding if this would be a rental. Mr. Madden replied that it would be for the owner and not rented. Mr. Flynn wanted to know if they plan to seek a motor vehicle sales license; Mr. Madden replied that they would not need one. Mr. Arancio asked if there are interior layout plans and an exterior elevation plan showing the height of the building. Mr. Madden does not have them, as he told the applicant to hold off on drawings unless the use is approved by the Board. They plan to construct a building similar to Sperry Tents. Mr. Madden will submit a 3D rendering to the Board for review prior to the next meeting. If he is not able to produce it before then, he plans to request more time.

The public comment segment was opened at 7:34 p.m.

Abutter Richard Cutler on behalf of the First Congregational Church of Rochester stated that they have no objections.

Abutter Timothy Donovan asked what would happen to the use if the building were to be sold in the future. Mr. Arancio replied that the decision could be conditioned to make the use non-transferable if the Board wishes. Only uses in the Limited Commercial District would be allowed.

Abutter Laurie Gibbs asked if they plan to clear cut against her property edge and the road. Mr. Madden replied that it would be cleared pretty close to the back corner of her lot. She asked why it would be cut so close. Mr. Madden explained that it will be discussed at a Planning Board hearing for Site Plan Review at a later date.

Abutter Matt Monteiro asked how many trees will be cut near his property. Mr. Madden viewed the plan and responded that there would be a 60-foot buffer. Mr. Monteiro also commented that when a solar company applied several years ago to place a solar array on this property, there was a review at the state level due to box turtles and Native American remains. Mr. Madden commented that the Natural Heritage of Endangered Species Program (NHESP) will need to review the proposal.

Motion

A motion to continue the hearing until August 12, 2021 was made by Mr. Sullivan; the motion was seconded by Mr. Flynn. Motion passed 5-0.

VOTING MEMBERS:

David Arancio, Davis Sullivan, Thomas Flynn, Jeffrey Costa, Donald Spirlet

VOTE: **5** In Favor **0** Opposed

A motion to adjourn at 7:58 p.m. was made by Mr. Costa and seconded by Mr. Sullivan. Motion passed 5-0.