

**Minutes Rochester Planning Commission**  
**January 2, 2024**  
**Rochester Town Office and via Zoom**

**Present:** Chair Dan McKinley (by Zoom), Sandy Haas; Julie Martin, Mary Fratini, Greg White, David Curtis, Christine Meagher, Doon Hinderyckx, Zoning Administrator

**Guest:** James Rogowski (by Zoom)

**Call to Order:** Dan called the meeting to order at 6:02

**New Member:** Dan welcomed Mary Fratini to the Board. Mary was appointed by the Selectboard at its Nov 27 mtg.

**Gendron Subdivision:** Dan reported that Corina Gendron has asked to put this application on hold until the summer while she seeks a legal right of way from Wing Farm Road.

**Approval of Minutes:** Minutes from Dec. 5, 2023 meeting approved

**Administrative Officer Report, Building and Zoning Applications:**

--Bob Kennett, 511 Liberty Hill, is building an addition to the cow barn. Because this is an agricultural use, it is exempt from zoning rules, except those related to setback.

--Gordon Merrill, 398 South Main, has applied for a permit to rebuild the outbuilding destroyed by fire. Doon and Gordon have been working with the State to determine how the flood plan rules apply. The State has requested that Gordon obtain a professional report that establishes the base flood elevation on his property. Application is still pending.

--Michael Murphy, 750 Austin Hill, application for house construction. Doon is still waiting for the State septic permit. Application is still pending.

**James & Laura Rogowski:** As owners of former Martin Farms property on Quarry Hill, Rogowskis are seeking to separate the 1.5-acre house lot formerly owned by Albert & Bea Wilber from the balance of the 93.6-acre parcel deeded to them by Martin Farm heirs. Because the two properties were merged many years ago, a minor subdivision permit will be required. It appears that much of the property, including the house lot, is located in the Commercial-Agricultural Zone, which has a one-acre minimum lot size. Rogowskis are requesting to be relieved from the standard subdivision requirement to have the 1.5-acre parcel surveyed. Because the 1955 deed to Wilber creating the lot has a clear metes and bounds description, the Board believes that the house lot can be

described with reference to that earlier deed. The survey requirement can be waived for a subdivision based on that 1955 deed.

**Section 248a Process for Citing Telecom Facilities:** In response to an inquiry about how we handle telecom proposals, members of the Board studied *A Guide to the §248a Process for the Siting and Deployment of Telecommunications Facilities*, prepared by the Public Service Board, now the Public Utility Commission (PUC). Dan noted that telecom facilities are not subject to local zoning. Rather such facilities are reviewed by the PUC under its Certificate of Public Good (CPG) process. Applications fall into one of three categories: *De Minimis* Modification to an Existing Facility; Projects of Limited Size and Scope; or Full § 248a Projects. Aside from projects falling into the *de minimis* category, all CPG applications require that the applicant give a 45-day advance notice to the Town. The Board agreed that any 45-day notice we receive should be taken up at a regular PC meeting to evaluate whether the project is consistent with the Town Plan and what, if any, action the board wants to take, e.g. file formal comment.

**Recording Clerk:** Susie Smolen has agreed to be recording clerk for the Board. Sandy will arrange for her to be paid by the Town from the Board's budget line item.

**March Meeting:** Because Tuesday, March 5 is Election Day for the Presidential Primary, the Board agreed that the regular March meeting will be held on Wednesday, March 6. Sandy will get a legal notice in the newspaper.

**New Zoning Bylaw:** The amended Rochester Zoning Bylaw became effective on December 18, 2023. Sandy will arrange for Board members to get paper copies. The bylaw is currently accessible only on the TRORC website.

**Adjourned: 6:41 pm**

Next regular meeting: February 6, 2024 at 6:00 pm.