

**STERLING PLANNING BOARD
MEETING MINUTES**

August 13, 2008

Present: Robert Protano – Chairman
Ron Pichierri – ANR Agent
Kenneth Williams – Clerk
Melissa M. French – Administrative Assistant

Absent: Charles Hajdu
Michael Radzicki – Vice Chairman

Chairman Protano calls the Planning Board Meeting to order at 7:02 PM.

ANR(s)

There are no ANR's.

PRATTS JUNCTION REALTY TRUST SITE PLAN

Don Harding is present this evening to discuss with the Board members what he will need to submit for the site plan review of 146-148 Pratts Junction Road. This is a change of use on an existing site on which there are existing improvements. The building on this site has sat vacant and damaged for several years. Refer to minutes of June 11, 2008.

After discussion it was agreed by both the Board members and Mr. Harding that he will follow the regular submission (as per the regulations in the by-laws) of a Site Plan and submit to the Planning Board a copy of the plan, the distribution sign-off sheet and a check for \$2,600.00.

MINUTES APPROVED

Pichierri makes a motion to approve the Sterling Planning Board Meeting Minutes of July 30, 2008, as corrected. Seconded by Williams, no further discussion, all in favor, approved by the Board.

DISCUSSIONS AND REPORTS:

**FOREST GLEN PRELIMINARY SUBDIVISION – NINE LOT PROPOSAL
Follow-up from meeting of July 9, 2008**

The Board reviews a letter, dated August 6, 2008, from Atty. Mark L. Donahue in which Atty. Donahue is seeking confirmation of the Board's stand in granting a waiver for construction of a nine lot subdivision entitled Forest Glen, off of Sherwood Drive.

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Chairman Protano requests a letter be sent back to Donahue informing him that the Board may be in favor of an eight lot subdivision with one of two scenarios being used. One scenario is that one lot remains open for mutual recreational use by the eight homeowners, the second scenario being that each of the eight lots is increased in size. In either case the Board would stipulate that the project may never be extended to Griffin Road and that no unallocated land remain.

(Note added after the meeting; a letter was mailed to Atty. Donahue on August 14, 2008.)

**MOUNTAIN VIEW ESTATES DEFINITIVE SUBDIVISION
Follow-up from Public Hearing last in session on July 30, 2008**

The Board members review the most recent correspondence received from McCarty Associates, Inc. dated July 30, 2008. McCarty has forwarded to the Board a list of requested waivers, a copy of the Homeowner's Association draft agreement and reference to the MA General Law as it relates to the subdivision's close proximity to the Leominster Sportsmans Association.

This discussion is a follow up to the Public Hearing, last in session on July 30, 2008, and in preparation for the continuance of the Public Hearing scheduled for August 27, 2008.

The first waiver requested is for the total length of road, which as per Sterling's Subdivision Rules & Regulations, is not to be greater than 675 feet from the right of way edge of the intersecting street. The proposed roadway is 975 feet in total length from the side line of Elm Street to the center of the proposed cul-de-sac. The applicant indicates that 122 feet of the proposed road is in Sterling, the rest is in Leominster. **The Board feels that a waiver is not required.**

Sheet #10 of the plan shows that the total length of the proposed roadway is 975 feet from the right of way on Elm Street to the center of the cul-de-sac circle. It also shows that the portion of this in Sterling is 122 feet. Note that this must be how Leominster does its measurements. Sterling measures to the furthest most point on the outer circle right of way. Sheet #10 also has a table listing the frontage feet and the areas of all Lots. Definitive sheet 4 of 5 (plan sheet 8 of 20) details the frontage for each of Lots 7 and 8 (all are correct).

The second waiver requested is for the sidewalks. Sterling's Subdivision Rules & Regulations states that sidewalks shall be Portland cement concrete. In keeping with low impact development the proposed sidewalk is for a Portland cement open cell paver placed over a compacted crushed stone base. The product name is "Turf Stone". **The Board has no problem granting a waiver for the sidewalks, stating that they must be ADA compliant.**

The third waiver request is for the road cross section to have a continuous slope versus a center crown. **The Board has no problem granting this waiver.**

No votes were taken.

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Comment was made that an approval of this subdivision would be contingent on Leominster's prior approval. Without Leominster's approval there would be no road to the lots in Sterling.

The Homeowner's Association draft has not been reviewed by all the Board members in attendance and was not discussed at tonight's meeting.

No discussion is made regarding the MA General Law as it pertains to the Leominster Sportsmans Association.

ITEMS OF CONCERN IN STERLING

Chairman Protano has noticed some items of concern within the town and brings these up for discussion with the Board members in attendance. It is Chairman Protano's opinion that the Planning Board be proactive, rather than reactive.

His first concern is with the Sterling Greenery and enhancements they are making on the property between Legg Road and the Greenery's driveways. The Board agrees that these enhancements improve the property and do not necessarily generate a need for more parking. There is nothing evident that would warrant a Site Plan Review.

The second concern is with the property of Sagatabscot Orchard and the Countryside Café. Jim French has renovated a portion of the building to create an ice cream parlor. The Board is concerned with change of use and/or increased parking requirements. After discussion the Board agrees that the Rules & Regulations governing a change of use have been followed and that no Site Plan Review is necessary. The Board would like to see "Additional Parking" signs erected for the area at the South end of the existing parking lot.

The third concern is with DCR logging and the mess that is sometimes left behind after such projects. The Board does not feel that it is right for DCR to remove stonewalls and cut trees along designated scenic roads and town property. Typically a DCR representative attends the area Planning Board meetings; however the position is currently changing hands. The Board decides to take no action until the DCR is again represented to the Board.

Lastly, Chairman Protano is questioning the Assessors' records that show only nine apartments in town. Clarification is made that an apartment differs from a duplex or a 2-4 family house. The Assessors have different codes for each classification. The nine apartments listed refer to In-Law or Accessory Apartments only.

SANDY RIDGE

The Board members made a site visit to Sandy Ridge Road on Sunday August 3, 2008, after a request was made by Curtis Plante of Golfbright LLC, Sandy Ridge Realty Trust to release the Cash Bond that was held for the survival of the street trees. The site was inspected by four Board members from two different cars. Chairman Protano and

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Pichierri have reported their findings and the Board is now waiting for Hajdu to report his and Williams' findings. A decision will be made after all the findings are in and consolidated.

TREBOR LANE

The Board members made a site visit to Trebor Lane on Sunday August 3, 2008, after a request from Tim McGuire asking the Board to conduct a site walk to review the roadway and determine any outstanding items to be completed. McGuire was present for the site visit and has followed up with a memo to the Board confirming the results of the visit. Chairman Protano reads this memo into the minutes. The memo indicates those items that were determined to need additional attention. In addition to the six items noted the Board adds that, as per the Common Driveway Permits, lights and signs are to be placed in their appropriate locations. The Board also adds that there be a Stop sign at the intersection of Trebor Lane and Newell Hill Roads and that the catch basins are cleaned, any construction debris is removed and the road is swept.

(Note added after the meeting; a letter was emailed to McGuire on August 14, 2008.)

DEPARTMENT HEAD MEETING

The monthly department head meeting was held on August 7, 2008 and was attended by K. Williams and M. French. Chairman Protano reviews the meeting agenda while Williams summarizes the topics of the meeting.

GARY GRIFFIN

Being on the distribution list, the Board has received a copy of the application to DEP, from Gary Griffin, regarding his dock on West Pond. Griffin is applying for a license to maintain an existing pier/dock.

MAIL:

- The Mass Rural Water Association has sent notice of a meeting to form the Sterling Source Water Protection Committee to be held on August 26, 2008 at 10:00 AM at the Sterling DPW. Williams will attend.
- The Board reads a letter from the Sterling Building Inspector in which a cease and desist order has been issued to Stephen J. and Catherine J. Fox, 94 John Dee Road. A building permit was issued for construction of a garage and upon inspection it appears that an additional dwelling unit is being added.
- The Board reviews a letter regarding the Commonwealth of MA – FEMA 2009 Hazard Mitigation Assistance Program Guidance.
- Tentative Agenda and Minutes from MRPC are reviewed.

NOTICES FROM OTHER TOWNS.

Several Public Hearing notices from adjacent towns were reviewed.

MOTION TO ADJOURN:

**Williams makes a motion to adjourn the Planning Board Meeting at 10:05 PM.
Seconded by Pichierri, no further discussion, all in favor, approved by the Board.**

**The next regularly scheduled meeting will be on Wednesday, August 27, 2008 at
7:00 PM.**

APPROVED BY:
