

FINAL

**STERLING PLANNING BOARD
MEETING MINUTES**

June 11, 2008

Present: Robert Protano – Chairman
Ronald Pichierri – ANR Agent (Joined meeting at 7:10 pm)
Kenneth Williams – Clerk
Charles Hajdu
Michael Radzicki
Melissa M. French – Administrative Assistant

Chairman Protano opens the meeting at 7:05 PM.

ANR(s)

No ANR's

MINUTES APPROVED

Chairman Protano makes a motion to approve the Sterling Planning Board Meeting Minutes of May 28, 2008, as corrected. Seconded by Radzicki, no further discussion, all in favor, approved by the Board.

STERLING CROSSING – SITE PLAN REVIEW, Continued from May 28, 2008

Present for the review are Scott Miller, Haley & Ward; Robert Cutler Jr. and Keith Cutler, Cutler Brothers LLC; and Jessie Johnson, David E. Ross, Associates.

Johnson states that at the last meeting there were some outstanding issues which he now would like to address.

Chairman Protano reads the letter (attached) from the Fire Department, dated June 6, 2008. This letter states that the Fire Department is not requiring any changes or modifications to what was stipulated in the initial letter dated May 27, 2008 (attached).

Chairman Protano reads Miller's review letter, dated 6-11-08, which contains the applicant's responses. The only outstanding issue (shown in bold font) is Item #1 a,b,c. In relation to the fire protection system, it states that the Board's **approval should require that a water supply survey containing items a, b and c above should be included with the building permit application.** The applicant agrees.

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Johnson highlights the changes made to the plan as a result of the prior review comments. The changes are as follows; more detail was given on the leader pipes going to the roof recharge, reference for handicap cut-ins for sidewalk access was added, loading zones were added and stop signs at the exits have been added. The dumpster lanes have not been changed. The loading zones are incorporated into the parking space count.

The concern for access to the rear of the building(s) by the fire department trucks is raised and Johnson reminds the Board that they wanted input from the fire department. No specific comment from the Fire Department has been obtained at this time.

Miller states that he is satisfied with the drawings indicating sidewalks to each building. He has received elevation drawings and the septic plans. He is satisfied with the responses to his review.

Radzicki questions the proposed paving over of the septic system. Johnson responds that they are meeting with the Board of Health for two hearings, the first to introduce the project (which is to take place June 12, 2008) and the second to notify the abutters. Johnson does not anticipate any issues with obtaining a permit to pave over the septic, as there are no other options.

Chairman Protano asks about the trash trucks and their use of Laurelwood Road. It is agreed that it will be written into the contract with the trash removal company that they are not to use this exit.

Williams asks if Johnson has applied for the curb cut permit with MassHighway. Johnson responds that he has but has not had a response as of this date.

Chairman Protano asks how Johnson proposes to handle Item #2 on Miller's review letter which relates to the use of the structure with respect to toxic or hazardous materials and discharge of industrial waste or cooling water. Chairman Protano then reads into the minutes a letter, dated June 9, 2008, from David E. Ross Associates stating that this will not be an issue.

Chairman Protano asks the Board if anyone has any other comments. Williams asks what are the remaining issues. Miller responds that the two outstanding issues are fire protection and the assurance that the trash trucks will not use Laurelwood Road.

Williams asks Johnson if he has received an Order of Conditions from the Conservation Commission. He responds that he has not but that one is expected.

The Board decides to wait for a final vote until the outstanding items are submitted. The applicants are not in a hurry to begin construction and agree to wait.

Johnson requests an extension for Site Plan Review.

Williams reads the request and moves that the Board grant the applicant's request to extend the time for the Planning Board action on the Site Plan entitled "Sterling Crossing", including the filing of the decision with the Town Clerk, up to and

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including August 29, 2008. Pichierri seconds it, no further discussion, all in favor, approved by the Board.

Johnson leaves three revised copies of the plan with the Board. Miller has a copy of the revised plan.

DISCUSSIONS:

M. DELCON REALTY TRUST, LLC. – 27 LEGATE HILL ROAD.

Chairman Protano reads into the minutes the letter from Todd Lobo of Hannigan Enginnering, Inc. in which a request for continuance of the Site Plan Review is made for Delcon Realty Trust, LLC.

The Board reschedules the continuance of the Site Plan Review to June 25, 2008 at 8:00 PM.

FOREST GLEN

Chairman Protano reads into the minutes the request for an extension of time for the Planning Board action on the Preliminary Subdivision entitled Forest Glen, including the filing of the decision with the Town Clerk, up to and including July 31, 2008 and makes a motion for the Board to approve. Pichierri seconds the motion, no further discussion, all in favor, approved by the Board.

D. WAYNE CONTRACTING

Chairman Protano reads into the minutes the letter received from Donald Harding requesting the Board's opinion on a proposed use of the site at 146-148 Pratts Jct. Road.

It is determined that there has been an interruption in use of this existing site and any prior use is now considered non-existent. The Board agrees that without a Site Plan Review for the proposed use an opinion cannot be rendered.

(Note added after the meeting; a letter was sent to Don Harding requesting that he come to the Planning Board office and obtain the necessary forms for a Site Plan Review. Harding did so on June 16, 2008 and spoke with K. Williams).

DEPARTMENT HEAD MEETING

Chairman Protano, Williams and French attended the Department Head Meeting on June 10, 2008. Chairman Protano reviews the content of the meeting, explaining that T. Ackerman reviewed the Board of Selectmen's Annual Goals and the current status of such. Of focus was the Building Needs Committee, their function and performance. Town grants were discussed and Chairman Protano noted that time is of the essence to meet filing deadlines. Also discussed was the status of the new web site and the importance of keeping it accurate and current. Chairman Protano would like to see the

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Board post Public Hearing announcements to the site. There was discussion of Personnel issues and employee review. Chairman Protano is to meet with Ackerman regarding the process/paperwork for the Board's performance review of M. French.

Chairman Protano alerted the Board to the comments that, both at a recent meeting with the Selectmen and again at the Department Head meeting, were made regarding the involvement with the Sterling Airport site. Chairman Protano feels that it is expected that the Planning Board will need to become involved in the future with decisions surrounding this site.

Chairman Protano states that the topic of Forest Management was raised at the meeting. The Board discusses the topic of forestry management and the role of the DCR. The Board states concern with DCR forestry projects and the apparent mess that is left behind on the property and alongside the roads

Also noted were the announcements of two positions filled. Mark Brodeur will be the Town's part time Building Inspector, to be shared with the town of West Boylston. Donna Erickson has been hired as the new Treasurer/Collector.

STEPHANIE ANNE LANE

Chairman Protano states that the As Built Plan, Deed and Certificate of Compliance from the Conservations Commission, all recorded at the WSDRD, have been received for Stephanie Anne Lane.

ACCESSORY APARTMENT

Chairman Protano reviews the results of a joint meeting between the ZBA and the Planning Board on the evening of June 10, 2008. The meeting was a continuance of the discussion between the two Boards in regards to the process of clarifying the definition of an accessory apartment and what is allowed.

The bylaw was amended by the Planning Board, after discussion at the Planning Board Meeting of 11-28-07 (**Refer to Planning Board minutes dated 11-28-07**) and placed on the May 2008 Town Meeting Warrant, at which time it was defeated.

The two Boards have now come together in an attempt to reach an agreement on how an amended bylaw should read in reference to Accessory Apartments. It was decided between the Planning Board and the ZBA that in order for an accessory apartment to qualify it must be attached to the main living quarters by a common wall or heated living space. The occupancy of the space is to be limited to three people and no more than two bedrooms.

The goal is to bring the amended bylaw back to Town Meeting in the Fall of 2008. Williams states that after defeat at a Town Meeting, the article cannot be placed back on the warrant for two years, without a unanimous vote of the Planning Board.

The Planning Board will need to hold another Public Hearing on this matter.

DCR WORKSHOP

Chairman Protano attended the DCR workshop that was held on June 5, 2008. The topic was Stormwater Management and Chairman Protano has obtained a Stormwater Handbook, with the DEP's rules and regulations, for the office. The focus of the workshop was on low impact development. Chairman Protano has been invited, by an employee of the DCR/member of the West Boylston Planning Board, to obtain a copy of the Town of West Boylston's newly developed Stormwater Management Regulation.

STORMWATER MANAGEMENT

M. Radzicki gives a follow up to the discussion of stormwater management and the meeting with Ed Himlan. (**See Planning Board Minutes of May 28, 2008**) Several questions arose after the meeting with Himlan and Radzicki has obtained some answers. The proposed bylaw is a General Bylaw, not a Zoning Bylaw and duplexes were not exempt in the current draft (but could be). Radzicki also asked Himlan how this proposed bylaw relates to cluster zoning and although Himlan answered, Radzicki does not have his notes and will follow up with the response at the next Board Meeting.

MAIL:

- MRPC memos, announcements, agendas, minutes reviewed.
- Telegram & Gazette Article – Chairman Protano reads the article entitled “State Grant for Rauscher Property in Peril”. The article relates to the ongoing Wekepeke issue.

BOARD OF SELECTMEN – Agenda May 28, 2008 meeting.

BOARD OF APPEALS

Notices from other towns.

MOTION TO ADJOURN

Chairman Protano makes a motion to adjourn the Planning Board Meeting at 9:07 PM. Seconded by Pichierri, no further discussion, all in favor, approved by the Board.

The next regularly scheduled meeting will be on Wednesday, June 25, 2008 at 7:00 PM.

APPROVED BY:

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