

FINAL

**STERLING PLANNING BOARD
MEETING MINUTES
April 29, 2009 – Rm. 202 Butterick Bldg.**

Present: Robert Protano – Chairman
Ron Pichierri – ANR Agent
Michael Radzicki – Vice Chairman
Kenneth Williams – Clerk
Melissa French – Administrative Assistant

Absent: Charles Hajdu - MRPC Representative

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

MINUTES APPROVED

Pichierri makes a motion to approve the Sterling Planning Board Meeting Minutes of April 8, 2009, as corrected. Seconded by Radzicki, no further discussion, all in favor, approved by the Board.

Pichierri makes a motion to approve the Sterling Planning Board Meeting Minutes of April 22, 2009, as corrected. Seconded by Radzicki, no further discussion, all in favor, approved by the Board.

DISCUSSIONS AND REPORTS

Doris Bennett – Withdrawal of Article to Amend Protective By-Law 2.2.4

Chairman Protano reads into the minutes an email, dated April 23, 2009, from Doris Bennett in which she thanks the Board for the opportunity to speak on behalf of a proposed amendment to By-Law 2.2.4, stating that she felt the Board acted in a courteous and respectful manner and were seemingly appreciative listeners. She is disappointed that the Board chose not to support her Article and has decided to withdraw it from the upcoming Annual Town Meeting warrant.

Trebor Lane

Chairman Protano reads into the minutes a letter from Tim McGuire, dated April 23, 2009, in which he responds to the Board's letter to him, dated the same. With the response letter, McGuire has submitted an amended As-Built Plan which he feels is sufficient for recording with the Worcester Registry of Deeds. In the Board's letter McGuire was asked to submit all plans to the Board, for review, prior to recording. Williams reviewed the As-Built, found an omission of any reference to "Berm", and now asks the Board if they would like to review the plan. The Board responds that they feel Williams' review was thorough and sufficient and they do not feel the need to further review the plan. A follow-up letter is to be sent to McGuire alerting him of the Board's review findings and asking, again, that he submit any amended plans to the Board prior to recording.

(Note added after the meeting; a letter was sent to McGuire, dated April 30, 2009.)

Pheasant Hill Lane

The Pheasant Hill Lane Article to accept it as a town road is on the upcoming Annual Town Meeting warrant and the Board has been working with James B. Simpson to assure the entire infrastructure is complete, to their satisfaction, prior to the ATM. A final site visit is needed and Chairman Protano will speak with Simpson to coordinate a visit with Simpson and the Board.

(Note added after the meeting; a site visit is tentatively scheduled for Thursday May 7, 2009 at 5:00 PM.)

Chocksett Road Traffic Counts

At the Planning Board's request the Sterling Police have conducted traffic counts on Chocksett Road, at either end of Northeast Boulevard. Chief Chamberland has forwarded these counts to the Planning Board with a letter asking for the Board's feedback. The Board discusses the relevance of the counts and concludes that they are vital to future Site Plan development, permitting and setting of business operating hours in order to manage traffic flow.

(Note added after the meeting; a letter was sent to Chief Chamberland, dated April 30, 2009, giving him an overview of the Board's reasoning for wanting the traffic counts.)

Mount Wachusett Region District 3 Building Officials May 20th Meeting

As a follow up to the notice from the Mount Wachusett Area Building Officials announcing their 9:00 AM May 20, 2009 Meeting in which the topic is Zoning and Land Use and the current upcoming Zoning Changes, the Board is made aware that the zoning changes pertain to MGL Chapter 40A. Registration deadline is May 15, 2009 and several Board members are interested in attending. M. French will follow up with the members prior to the deadline date.

3 Swett Hill Road – Myra Gartland

Williams informs the Board of a recent inquiry made by Myra Gartland of 3 Swett Hill Road. Ms. Gartland is trying to sell her home and has discovered a discrepancy with an easement and its placement on the property. The easement which is retained by Warren Brooks Findley, Sr. et al was written into the deed as being parallel to the westerly line of the property instead of, allegedly, parallel to the southerly line of the property. Ms. Gartland is concerned that if the easement remains along the westerly property line she will have difficulty selling the property. Should the easement be corrected to the Southerly line she fears that the heirs to Mr. Findley intend to construct a subdivision, using this easement as an access road. Ms. Gartland would like the Planning Board's opinion on the likelihood of this being allowed.

(Note added after the meeting; a letter was sent to Ms. Gartland, dated April 30, 2009, stating that "The Board, as presently constituted, would not be inclined to allow a subdivision road to be built on a right-of-way which would not become town property, in fee, after it was accepted by the town.")

Annual Town Meeting

The Board discusses the upcoming Annual Town Meeting, scheduled for May 11, 2009 to see if there is any unfinished business to discuss prior to the meeting night. Aside from scheduling a site visit to Pheasant Hill Lane, they feel that everyone is on board with what the Board has voted to support, or not accept. The Board schedules to meet at 6:00 PM prior to the commencement of the Meeting and Williams will post this as a public Planning Board meeting. The next regularly scheduled Planning Board meeting is May 13, 2009, which may be affected if the Town Meeting runs for consecutive nights. Williams will post meeting notices for May 13, 2009 as well as May 20, 2009 and May 27, 2009 to give the Board flexibility in their meeting dates.

NOTICES/FYI

- The Planning Board is in receipt of the latest guide to MA Public Records Law, published by Galvin, updated on March 2009.
- The Planning Board received notice, from the Commonwealth of MA Executive Office of Energy and Environmental Affairs, of the Fiscal Year 2010 grant round for the LAND and PARC Grant Programs. Filing deadline is 3 PM on Wednesday, July 15, 2009.
- The Planning Board was forwarded information on a new ICMA book which “unravels the Complexities of Local Planning”. The Board members have no interest in purchasing the book at this time.
- The Planning Board is in receipt of a Board of Appeals notice for a Hearing on Tuesday, May 5, 2009 at 6:35 PM for the administrative appeal filed by citizens with regards to 55 Lakeshore Drive.

OTHER BUSINESS

Some Board members have, upon a citizen complaint, individually driven by Jason Baldarelli’s property on the corner of Boutelle Road and Worcester Road and determined that what appears to be a Contractor’s Yard is located within this commercially zoned property, which is not allowed. Williams’ also states that a sign has been erected advertising “Baldarelli Landscaping”. Pichierri feels that Baldarelli is encroaching on State property and Chairman Protano feels that the sign does not conform to Sterling’s sign standards. The Board agrees that a letter should be sent to the Building Inspector alerting him of this concern. Pichierri also noted that Baldarelli never came to the Planning Board for a Site Plan.

MAIL

Miscellaneous mail is reviewed.

NOTICES FROM OTHER TOWNS

Public Hearing notices from adjacent towns were reviewed.

MOTION TO ADJOURN:

**Williams makes a motion to adjourn the Planning Board Meeting at 9:01 PM.
Seconded by Radzicki, no further discussion, all in favor, approved by the Board.**

FINAL

The next regularly scheduled meeting will be on Wednesday, May 13, 2009 at 7:00 PM.

APPROVED BY:
