

FINAL

**STERLING PLANNING BOARD  
MEETING MINUTES  
June 24, 2009 – Rm. 202 Butterick Bldg.**

**Present:** Robert Protano – Chairman  
Kenneth Williams – Clerk  
Charles Hajdu - MRPC Representative  
Melissa French – Administrative Assistant

**Absent:** Ronald Pichierri – ANR Agent  
Michael Radzicki – Vice Chairman

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

**MINUTES APPROVED**

**Williams makes a motion to approve the Sterling Planning Board Meeting Minutes of June 10, 2009, as corrected. Seconded by Hajdu, no further discussion, all in favor, approved by the Board.**

**ANRs**

1. Attorney David Shablin, agent for Joanne C. Kneeland and Charles S. Kotomski presents a plan of land on 17 Rowley Hill Road for ANR endorsement.

17 Rowley Hill Road, identified as Lot 2A, Plan Book 431, Plan 76 is being divided into Parcel A (6,820 SF) and Lot 2C (1.007 Acres). Parcel A is not to be considered a building lot but is being conveyed to Joanne C. and Richard Kneeland to be annexed to their existing property at 19 Rowley Hill Road. Both 17 Rowley Hill Road and 19 Rowley Hill Road will remain conforming building lots meeting the requirements of Neighborhood Residential Zoning.

The Plan was prepared by David Ross Associates, Job #13042, Plan L-5794A, dated June 2009.

The Board is in receipt of the Form A, Agent for Applicant Form and a check for \$100.00.

**Chairman Protano moves that the Sterling Planning Board votes in favor of having Ronald Pichierri, or Kenneth Williams in his absence, endorse the ANR Plan. Hajdu seconds the motion, no further discussion, all in favor, approved by the Board.**

2. Joyce Pillsbury and her attorney R. Dionisi present a plan of land at the corner of Tuttle and Heywood Roads for ANR endorsement. Joyce Poole is the owner of record for Lot A, identified as Book 33837 Page 153 in the Worcester South Registry of Deeds and Assessor's map 43 Lot 13. "Parcel A" with an area of 9,866 SF is being subdivided out of Lot A (3.23+/- Acres) and conveyed to Lauren J. Murray and Suzanne M. Downs, adjacent property owners. On this "Parcel A" is the septic system and driveway for the property owned by Murray and Downs, which has been encroaching on the Poole property.

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The Plan was prepared by Inland Survey, Inc. dba Zanca Land Surveying, Plan No. 2066ANR3.2D, dated June 22, 2009.

Williams has reviewed the plan and notes that prior to endorsement the abutters from across Tuttle and Heywood Roads need to be identified and noted on the plan, and a notation of Chapter 61A land needs to be noted on the plan.

The Board agrees to vote to endorse the ANR plan with the condition that the corrections be made and the applicant takes the responsibility to obtain endorsement from Williams.

**Chairman Protano moves that the Sterling Planning Board votes in favor of having Kenneth Williams endorse the ANR Plan provided that Williams is 100% satisfied with the corrections that are to be made and it is at his convenience. Hajdu seconds the motion, Chairman Protano asks that the Board stop this habit of approving with conditions, no further discussion, all in favor, approved by the Board.**

### **HMEA – SITE PLAN SUBMISSION**

James B. Simpson, LLEC, Inc. and John Grenier, engineer, are here this evening to submit a Site Plan application for the Horace Mann Educational Associates (HMEA) facility proposed for Northeast Boulevard. (See minutes of January 14, 2009 for preliminary review of this project.)

Simpson asks if the absent Board members are expected, stating that he does not want to present his Site Plan for the review process without all members in attendance. Williams states that this meeting is for Site Plan submission only, the review date will need to be set.

Simpson and Grenier give a brief description of the project and are instructed, by the Board, to distribute a copy of the Site Plan to each Dept/Board as noted on the Drawing Distribution Signoff Sheet. Simpson leaves five copies of the Site Plan, the Application Form, Agent for Application Form and two copies of Appendix B & C, Stormwater Management Report. A fee of \$2,600 is collected; \$2,000 for Review Fees and \$600.00 for Administrative Fees. A Site Plan review date is set for July 29, 2009 at 8:00 PM.

(Note added after the meeting; Simpson returned the Drawing Distribution Signoff Sheet for final (Planning Board) signature on June 25, 2009. As of June 25, 2009, the Site Plan is determined to be a complete submission which generates a 60 day review clock, ending August 24, 2009. A copy of the Site Plan, Application, Agent for Application form and Appendix B&C were distributed to Scott Miller, Haley & Ward, for review.)

### **DISCUSSIONS AND REPORTS**

#### **Stephanie Anne Lane – Sterling Countryside Builders**

In a follow-up to Sterling Countryside Builders' request for release of funds being held for the Hampton Rhodes Subdivision (see minutes of 6-10-09), Chairman Protano reports that he has inspected the trees on Stephanie Anne Lane and has determined that one tree is bowed and needs staking/straightening or replacement. The Board agrees that this is

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the only outstanding issue and asks that a letter be sent to Richard Magdis, Sterling Countryside Builders, asking that he take care of this one tree and let the Board know when this is complete. At that time, the Board will authorize the release of any funds being held by the town, with interest to date.

(Note added after the meeting; a letter was sent to Magdis on June 29, 2009.)

### **Department Head Meeting Update**

Chairman Protano updates the Board that he and Williams are no longer invited to attend Department Head meetings, as they are not Department Heads, but Board members. M. French will continue to attend these monthly meetings, with Williams or Chairman Protano attending in her absence. All Board members will be invited to attend the meetings on a (tentatively) quarterly basis.

M. French updates the Board of the most recent meeting on Tuesday June 23, 2009. The topics covered included a presentation of the town's new insurance carrier and a discussion of the proposed vault and storage requirements for all town departments.

### **NOTICES/FYI**

- The original deeds for Runaway Brook Road and Fern Lane have been received by the Board and delivered to the Town Clerk by Williams.
- Chairman Protano reads an email, forwarded from T. Ackerman, regarding Projects Ineligible for ARRA Funding (American Recovery and Reinvestment Act). Attached to the email is a letter in which the projects that are not eligible for Direct State Funding are listed.
- The Board reviews the Worcester Telegram legal notice for the "Mortgagee's Sale of Real Estate" of Stonecrest Lane, Brian Foley's four lot subdivision on Meetinghouse Hill Road. The sale will be from 45 Meetinghouse Hill Rd. at 12 Noon, Thursday 9 July 2009.

### **OTHER BUSINESS**

Deanna Batstone stopped in this evening with a complaint regarding truck traffic at the intersection of Legate Hill Road, Pratts Jct Rd and Rte 12. She had attended this evening's Board of Selectmen meeting to address this issue and submit a request for some restrictions for truck traffic in this area. Batstone gave the Planning Board a copy of this letter, attached to these minutes.

Chairman Protano informs the Board that the Open Space and Implementation Committee is looking for money to fund Amanda Amory's assistance in doing some consultation and report writing, and would the Planning Board be willing to donate from their funds? Williams suggests that this should be a request for the Finance Committee, from the reserve account, and that he would be reluctant to transfer Planning Board funds to the Open Space and Implementation Committee. Williams informs the Board that Amanda Amory visited the Planning Board office requesting information to assist her in working with the Open Space and Implementation Committee. She requested an updated list of built-out lots since 2002 and the number of annual building start permits issued each year since 2002. She also asked for a copy of the town's Master Plan from the

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1960's, which was given to her. Williams updated what he could for her and offered to seek the remaining information from the Building Dept.  
(Note added after the meeting; this information has been obtained from the Building Dept and is pending retrieval by Amory.)

Hajdu raises the question of the new Bonding requirement and suggests that Developers of approved, but not yet developed lots be sent a letter alerting them to this new requirement. Williams responds that it would take some research to determine who owns the undeveloped lots. Williams also suggests that the Board should not be too eager to write such a letter until which time the Attorney General approves this new regulation in the By-Laws.

**MAIL**

Chairman Protano reviews a newsletter from MRPC in which work by the Route 140 Task Force is addressed, among other things. Chairman Protano updates the Board of his involvement with the Rte 140 Task Force, stating that Dick Shephard, Sterling Board of Selectmen, is supposed to be organizing a meeting for the public to update residents of the plans/progress and get feedback from them to take back to the September meeting of the Rte 140 Task Force.

Also in this newsletter is information on Adopting a Pre-Disaster Mitigation Plan. In the aftermath of the December Ice Storm, it is discovered that reimbursement of funds from FEMA and MEMA is a difficult task, which might be streamlined with a Pre-Disaster Mitigation Plan in place.

**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 8:47 PM.  
Seconded by Hajdu, no further discussion, all in favor, approved by the Board.**

**The next regularly scheduled meeting will be on Wednesday, July 8, 2009 at 7:00 PM.**

**APPROVED BY:**

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