

FINAL

**STERLING PLANNING BOARD
MEETING MINUTES
July 8, 2009 – Rm. 202 Butterick Bldg.**

Present: Robert Protano – Chairman
Ronald 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 7:10 PM.

MINUTES APPROVED

Pichierri makes a motion to approve the Sterling Planning Board Meeting Minutes of June 24, 2009, as corrected. Seconded by Radzicki, no further discussion, all in favor, approved by the Board.

DISCUSSIONS AND REPORTS

Goulding Estates

Williams brings it to the Board's attention that the time clock for H.S. & T. Group, Inc. to obtain the Board's endorsement for the Goulding Road Definitive Subdivision will expire on July 9, 2009. This Definitive Subdivision Plan was approved by the Planning Board on January 9, 2008. In the Order of Conditions, Condition #23 stated that the applicant had six (6) months from the date of approval to obtain endorsement from the Planning Board and that the time for such endorsement could be extended for not more than one (1) year upon written request. On July 8, 2008 H.S. & T. Group, Inc. requested a one (1) year extension which the Planning Board granted on July 9, 2008. On April 9, 2009 H.S. & T. Group, Inc. requested a second one (1) year extension which the Board denied.

(Note added after the meeting; A rescission letter was sent to the Town Clerk on July 13, 2009 with a certified copy sent to Hossein Haghanizadeh, H.S. & T. Group, Inc.)

Flooding Complaint – 4 North Row Road

Jay Westbrook of 4 North Row Road has sent an email to the Planning Board in which he feels that the Board's poor planning has resulted in flooding issues on his property, following an extended period of heavy rains. The Board reviews this letter, determining that the issue is not one for the Planning Board and that Mr. Westbrook is on the right track by contacting the DPW with his concerns.

(Note added after the meeting; an email was sent back to Jay Westbrook, on July 9, 2009, letting him know that the Board reviewed his letter and "while concerned for his issue with drainage, it is not for the Planning Board to act upon" and supported his contacting the DPW.)

Vault/Secure Filing Update

The recent issue of the proposed vault and the need for secure filing was reviewed and updated. It has been determined that the Planning Board's requirement is that minutes be secured, but not necessarily in a vault. A fireproof file cabinet, currently used by the Open Space and Implementation Committee (OSIC) for items not required to be securely stored is located in the room adjacent to the Planning Board office. The tentative plan is to offer OSIC an alternate storage facility and use this fireproof cabinet for storage of Planning Board minutes, the details of which have not been worked out.

Board Salaries

The Planning Board members are budgeted to receive an annual salary of \$100.00 each. It was realized that the warrant for this payroll was not submitted prior to July 1, 2009, the beginning of Fiscal year 2010. The Board asked M. French to look into whether it was too late to submit a warrant, with Pichierri citing that the law states that July 15, 2009 is the cut-off date.

(Note added after the meeting; the Town Accountant confirmed that the July 15, 2009 cut-off date is correct and an encumbrance form was submitted on July 13, 2009 to hold these funds for the next payroll cycle on July 20, 2009.)

NOTICES/FYI

Pheasant Hill Lane

Williams updates the Board of the status of Pheasant Hill Lane, stating that the "Deed to the inhabitants of the Town of Sterling" conveying the street had not been signed and recorded, and the "Corrective and Confirmatory" deed for Seven Hills, with the tree easement has not been recorded.

(Note added after the meeting; Pat Horning, attorney for Jim B. Simpson, was contacted by phone and follow-up email asking for the status of these deeds. Atty. Horning responded that she is holding the deed from Sterling Real Estate to the Town of Sterling, she will follow up with Seven Hills regarding their acceptance of the correct and confirmatory deed, and with Doug Andrysick with regard to the Mylar for the As-Built Plan, dated 3-23-09.)

Kristoff Land

Williams updates the Board as to the conveyance of land, formally owned by John C. & Catherine A. Kristoff, conveyed to the Trust for Public Land on 4-30-07 and now to the Department of Conservation and Recreation (DCR) on 8-25-08. This land, consisting of three parcels, is located on the west side of I-190 along Greenland Road and totals 74.3+/- acres.

MRPC

The MRPC recently conducted a survey of communities in the Montachusett and North Quabbin regions regarding the communities' willingness to share municipal services and to participate in the joint purchase of municipal consumables and services. The preliminary results of this survey have been sent for FYI purposes.

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ZBA NOTICES

The Board reviews several ZBA Notices, noting the status of each;

- 55 Lakeshore Drive, Edward & Edith McNamara – the ZBA “Voted with 4 negative votes and one affirmative vote on the motion to uphold the appeal and overturn the decision of the Building Inspector. Therefore the said administrative appeal is not granted.”
- 39 Wilder Road, Barbara S. Foster – voted to Grant a special permit for an accessory apartment.
- 89 Chace Hill Rd, Timothy & Judith Regan – voted to allow the applicant to withdraw their application for a variance to renovate and add an addition to their pre-existing home.
- 71 South Nelson Rd., Henry & Marion Hulick – application is pending for permit to maintain a small kennel of show dogs. Hearing is scheduled for July 14, 2009.
- 89 Chace Hill Road, Timothy & Judith Regan – application has been re-filed for renovation and addition to existing home. Hearing is scheduled for July 14, 2009.

(Note added after the meeting; The hearings for Hulick and Regan were continued till August 11, 2009.)

OTHER BUSINESS

Chairman Protano reads the newspaper notice for the upcoming foreclosure auction of the Stonecrest Subdivision on Meetinghouse Hill Rd., owned by Brian Foley. The auction is to take place on July 9, 2009 at 12:00 PM.

Chairman Protano updates the Board of the involvement of Amanda Amory who has been hired by the Open Space and Implementation Committee (OSIC) to write an “OSIC Booklet”. OSIC is looking for money to pay Amory and queries the Planning Board members as to their thoughts on donating money. The general consensus is that the Finance Committee should be approached with any requests for the transferring of funds.

MAIL

Miscellaneous mail is reviewed.

NOTICES FROM OTHER TOWNS

Public Hearing notices from adjacent towns were reviewed.

MOTION TO ADJOURN:

**Radzicki makes a motion to adjourn the Planning Board Meeting at 8:47 PM.
Seconded by Pichierri, no further discussion, all in favor, approved by the Board.**

The next regularly scheduled meeting will be on Wednesday, July 29, 2009 at 7:00 PM.

APPROVED BY:

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